

From Coercion to Brute Force: Exploring the Evolution and Consequences of the Responsibility to Protect

A Monograph

by

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Abstract

From Coercion to Brute Force: Exploring the Evolution and Consequences of the Responsibility to Protect, by MAJ Ashley E. Welte, US Army, 75 pages.

There are two contradictions internal to the United Nations principle of the Responsibility to Protect. The first is the preemptive authority that enables states and international organizations to take offensive action against the actual or perceived perpetrator of the violence. This is contradictory to its purpose of protection, because it advocates for offensive action against a belligerent rather than focusing on the persons at risk. The second contradiction internal to the principle is the inconsistency in scales or threshold. The ill-defined nature of the scale of a violent episode allows states and international organizations to invoke the Responsibility to Protect when they see fit, not when an episode of violence reaches a level that requires international intervention. These internal contradictions are what allow state and the international leaders to subjectively manipulate morally founded military operations, and in turn create more rather than less violence.

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Acronyms

DoD	Department of Defense
EU	European Union
HRW	Human Rights Watch
ICISS	International Commission on Intervention and State Sovereignty
MAPRO	Mass Atrocity Prevention & Response Options
MARO	Mass Atrocities Response Operations
NATO	North Atlantic Treaty Organization
R2P	Responsibility to Protect
TNC	Transitional National Council
UK	United Kingdom
UN	United Nations
US	United States
WWII	World War Two

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Introduction

If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend every precept of our common humanity?

–Kofi Annan, *United Nations Secretary General*, 2000

What if there was a force that could slaughter civilians at a rate five times that of the Nazis extermination campaign in World War Two? And what if there was a way we could prevent the slaughter from occurring? Should we? Our moral character says absolutely, but what would happen if we did? What if after the intervention the state was torn by civil war and became the fastest declining state according to the Failed State Index.¹ This is what happened in the evolution of the United Nations (UN) principle of the Responsibility to Protect (R2P), triggered by the lack of intervention to prevent or halt the widespread atrocities that claimed the lives of 11 percent of Rwanda's population in 1994. The UN moved towards a preemptive policy of prevention aimed at stopping atrocities before they occur, which they applied in Libya in 2011. The following year, Libya was in the throes of a civil war, and according to the Fragile State Index, Libya has remained atop the "Most Worsened 5-Year Trend" list since the intervention.²

This incident has raised some concern over the policy of R2P, making it one of the more controversial principles within the international arena. While the concept of protecting others from unjust harm and persecution is an idea that many are likely to agree is a good thing, it raises the questions, whose responsibility is it to intervene and protect; and what type of protection is

¹ Nate Haken et al., *The Failed States Index 2012* (Washington, DC: The Fund for Peace Publication, 2012), 21.

² Nate Haken et al., *The Failed States Index 2013* (Washington, DC: The Fund for Peace Publication, 2013), 13; Nate Haken et al., *The Fragile States Index 2014* (Washington, DC: The Fund for Peace, 2014) 13. The Fund for Peace has recently changed the name of the Index from Failed State to Fragile State in hopes of not shaming the states they are working closely with to reform and to remain a vital source of contextual data for governments and leaders to rely upon.

acceptable? ³ These and many other questions are ones the international community has been struggling to reconcile since the 2005 World Summit when the General Assembly adopted Resolution 60/1.⁴ In this resolution, three specific paragraphs addressed the issue of intervention into state domestic issues pertaining to protection of the population of that state. The paragraphs outlined a concept that negates state sovereignty in order to protect the unprotected. In these three paragraphs, the General Assembly of the UN agreed upon the inception of the theoretical principle of the R2P; and in these paragraphs they forged the foundation for a principle to be designed around internal contradictions that plunged Libya into a civil war.

Responsibility to Protect is a concept grounded in the definitions of both responsibility and protection, and establishes three foundational pillars.⁵ First, it identifies the state as the primary entity responsible for the protection of its populace from genocide, war crimes, crimes against humanity, ethnic cleansing, and their incitement. Second, it allows the international community to provide assistance to the state to aid in this requirement. Finally, it establishes grounds to authorize the international community to intervene if the state responsible cannot or will not provide protection to its population.⁶ In this overarching framework, it is hard to identify the internal contradictions. However, through further analysis of the original three paragraphs, it is possible to identify eight potential subtasks, two of which are the basis for contradiction.

³ Unjust harm is referring to harm that is based on or behaving according to what is morally wrong and unfair.

⁴ United Nations General Assembly, Resolution 60/1 World Summit Outcome, 60th sess., 2005, A/RES/60/1, 30, accessed March 29, 2016, <http://www.un.org/womenwatch/ods/A-RES-60-1-E.pdf>.

⁵ The UN office of the Special Advisor on the Prevention of Genocide has referred to the three points established by the World Summit Outcome Document and the 2009 Secretary-Generals report as “pillars”, and has used them as the foundation to formulate the preliminary drafts of the international concept.

⁶ United Nations General Assembly, Implementing the Responsibility to Protect, 63rd sess., 2009, A/63/677, 10-27, accessed March 29, 2016, <http://responsibilitytoprotect.org/implementing%20the%20top.pdf>.

Paragraph 138 falls under the first pillar, identifying first that the “individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity.” It even goes as far as to have the states accept this responsibility and pledge to act in accordance with its requirements, to include, “the prevention of such crimes, including their incitement, through appropriate and necessary means.” This paragraph further explains that the international community should “encourage and help States to exercise this responsibility,” essentially aligning the states to work together as an accountable system of peers. Finally, the paragraph closes with a presumptuous task to all states to, “support the United Nations in establishing an early warning capability,” an ambition that has yet to come to fruition ten years later.

The second paragraph aligns with the second and third pillars. The first section of the paragraph identifies that the international community has the responsibility to diplomatically support and protect a population from, “genocide, war crimes, ethnic cleansing and crimes against humanity,” with the assistance of humanitarian relief through “peaceful means.” This support must be in line with, “Chapters VI and VIII of the [UN] Charter.”⁷ The next section of this paragraph is aligned with the third pillar, intervention. It starts by establishing that the UN as a collective community is prepared to take action “in a timely and decisive manner.” This section’s purpose is ultimately to establish a fundamental threat of intervention, likely to be referred back to when in discourse with a state that is not abiding by its aforementioned accepted responsibility.

Moving forward and towards a more hands on approach, the section culminates with the establishment of the United Nations’ legal authority to intervene, identifying that, “through the

⁷ Chapter VI, *Pacific Settlement of Disputes*, of the UN Charter refers to the peaceful settlement of disputes amongst states, while Chapter VII, *Regional Arrangements*, describes the acceptable us and conceptual ideas surrounding regional alliances and agencies, explaining that the UN Security Council may rely on the regional alliance to assist with enforcement of policy and international law.

Security Council, in accordance with the Charter, including Chapter VII,”⁸ the UN has the authority to intervene when it deems necessary. This of course would require evaluation, “on a case-by-case basis and in cooperation with relevant regional organizations as appropriate.” It would also assume that diplomatic means failed and the Security Council deemed the responsible authority to be unable or unwilling to protect its population from “genocide, war crimes, ethnic cleansing and crimes against humanity.” The second paragraph closes by establishing the international community’s commitment to each other, and that each state accepts its responsibility to help fellow states “build capacity to protect their populations,” while assisting the states that are, “under stress” before a potential episode of mass violence breaks out.

Finally, the section closes with its final paragraph and the commitment by the international community to support the mission of genocide prevention.⁹ Though most of the section focuses on intervention to protect, two parts advocate the idea of prevention. The word prevention rather than protection is used in two sentences, and seems to act as the bookends to the entire section. These two sentences together comprise the internal contradictions of the entire principle and lay the foundation for the potential to cause more harm than good. Through what one can presume to be intentional ambiguity, added with the word ‘prevent’, the nature of the principle changes, transforming it from what should likely be directive or prescriptive intervention into an interpretive application of presumed acceptable actions.

Currently, this principle is not formal international law. However, the UN refers to it as an “emerging norm” that can become law, and in doing so has the potential to make a complex

⁸ Chapter VII provides a detailed order of escalation of coercion and the use of armed force at the international level, *Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression*.

⁹ UN, A/RES/60/1, 30.

set of humanitarian crisis events into more hazardous situations.¹⁰ This presents three significant problems. First is the question of what constitutes prevention; second is when intervention is authorized; and third, who authorizes the preventative intervention? The compilation of these three problems represents a contradiction in the principle itself. If the intention of the principle is to protect those populations whose state cannot or will not protect them, then there should be an acting threat. However, does an acting threat authorize intervention, and if so, who defines what threat and at what level of threat to authorize intervention? Furthermore, once authorized, what kind of intervention is appropriate, and do preventative measures constitute protection? Finally, who determines if and what kind of prevention is acceptable?

All of these challenges are present in the current principle of the R2P. They are significant issues that, if not addressed, have the potential to worsen rather than alleviate the atrocity situations. This monograph will study the idea of prevention of genocide, war crimes, crimes against humanity and ethnic cleansing, and their incitement as outlined in the current United Nations policy of Responsibility to Protect. Its fundamental inquiry is prevention, and it questions whether the proposed policy of the Responsibility to Protect a viable solution to preventing mass violence against civilians. How can the injection of military force into a state on the verge of genocide prevent violence? If the state is on the cusp of a mass atrocity, to the point of being noticeable by the collective international community, how is one act of authorizing the

¹⁰ “We endorse the emerging norm that there is a collective international responsibility to protect, exercisable by the Security Council authorizing military intervention as a last resort, in the event of genocide and other large-scale killing, ethnic cleansing or serious violations of international humanitarian law which sovereign Governments have proved powerless or unwilling to prevent.” UN High-Level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility*, A/59/565 (New York, NY: UN, 2004), 57, 66; Sean D. Murphy, *Principles of International Law*, 2nd ed., Concise Hornbook Series (St. Paul, MN: Thomson/West, 2012), 92-93. R2P does not require ratification or vote to be accepted as legal within international law. It can emerge as customary international law if: it becomes a relatively constant practice by multiple states and states believe it to be a legal practice. See also, ICJ Statute, supra note 1, art.38(1)(b).

use of military force going to prevent violence? The purpose of this study is to demonstrate that the Responsibility to Protect is not a viable solution to stopping genocide, war crimes, ethnic cleansing and crimes against humanity. Instead, its ambiguous nature allows for too great a range of intervention possibilities, most significantly the act of prevention. When the UN Security Council invokes R2P in a preventative context, too many unknown factors can and will affect the population intended for protection. This study demonstrates that contradictions internal to the United Nations' policy of the Responsibility to Protect creates opportunities for morally founded military operations to be subjectively manipulated, creating more rather than less violence. The act of prevention of mass atrocities actually enables violence, providing an already unbalanced system with positive feedback, ultimately encouraging violence that further destabilizes the state.

The possibility of creating more rather than less violence caused by injecting military operations is significant to the role the United States military is likely to play in the future of R2P. Recently acknowledged as a challenge the US military may face, the Department of Defense (DoD) published Joint Publication 3-07.3, *Peace Operations*, which includes Appendix B, *Mass Atrocities Response Operations* (MARO). This appendix not only acknowledges the military's role in responding to such crises, but also identifies MARO as a preventative measure. The concept of prevention in current US military doctrine demonstrates the capacity for military operations to be inserted into a system on the verge of mass violence. This provides political leaders with a preemptive tool, essentially taking action to avert an event that has not come to fruition. Although this may seem promising, the preemptive military action is what ultimately destabilizes the population and creates more, rather than less violence.

The R2P, although adopted by the UN in 2005 as a principle, is a combination of two distinct international policies: genocide prevention and humanitarian intervention. For the

purpose of this study, genocide will be defined according to the Genocide Convention of 1948.¹¹ Humanitarian intervention, a more nuanced phrase, will be defined as, “coercive actions by one or more states involving the use of armed force in another state without the consent of its authorities, and with the purpose of preventing widespread suffering or death among the inhabitants.”¹² These definitions are critical to the inquiry of this study and provide the basis for the research question. Both of these terms were phrased and designed to decrease detrimental loss of human life by preventing episodes of large-scale violence against humans. However, when incorporated together into the principle of R2P, and when put into action, the outcome is not what was once envisioned through these phrases.

This study will evaluate the internal contradictions in R2P through historical analysis of evolution of R2P, and the relative comparison of the humanitarian intervention in Northern Iraq in 1991, and the proactive UN approved military intervention by a multi-state coalition in Libya in 2011. The historical analysis will enable the dissection of the current principle of R2P while the case studies will provide a means to determine if the current policy has the potential to create more, rather than less violence when put into practice. These two case studies will illustrate the

¹¹ “Article II In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such : (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.” Treaty on the Prevention and Punishment of the Crime of Genocide, Australia-Czechoslovakia-Ecuador-El Salvador-Ethiopia-France-Guatemala-Haiti-Iceland-Israel-Liberia-Norway-Panama-Philippines-Yugoslavia-Bulgaria-Cambodia-Ceylon-Costa Rica-Jordan-Korea-Laos-Monaco-Poland-Romania-Saudi Arabia-Turkey-Vietnam, January 12, 1951, UNT 1021, 280. A list of all current signatory can be viewed in Appendix A.

¹² Adam Roberts, “The So-Called 'right' of Humanitarian Intervention,” *Yearbook of International Humanitarian Law* 3 (December 2000): 5. This also corresponds with the later published ICISS definition: “...states to take coercive – and in particular military – action, against another state for the purpose of protecting people at risk in that other state.” ICISS, ed., *The Responsibility to Protect: Report of the International Commission On Intervention and State Sovereignty* (Ottawa: IDRC Books, 2002), VII.

outcomes of both reactive and proactive intervention, revealing that proactive intervention is less effective than reactive, and ultimately increases the violence against civilians by an armed group. The case studies were selected based on their relevance to R2P. While Libya is the only current case of R2P being invoked by the international community, the foundational principle of intervening in a sovereign state to protecting civilians from such violence emerged from the humanitarian intervention mission in Northern Iraq.

The study will essentially dispute the validity of the current international principle of R2P and provide recommendations to the application of this principle with respect to the US military. The study uses data collected from both primary and secondary sources. News articles, interviews, speeches, reports, resolutions, communiques and outcomes of motions serve as the primary sources. Secondary sources such as published research, books, and scholarly articles served as additional reference material. It was critical to the research to reference both historical, works published on or about the time of the intervention, and contemporary, works published a significant time after the incident, to enable a broad depth of data collected.

This study is constrained by two limitations. The fact that the international community only invoked R2P once in 2011 limits the number of comparative case studies to evaluate. Additionally, the recency of this occurrence also influenced the research in this study because of the limited published works evaluating the effects of R2P. This study overcomes these limitations in two ways. First, it includes a primary case study which set the precedent for substantiating the idea behind R2P, intervention to protect civilians. Second, this study utilized information gathered from nongovernmental organizations, research institutes, and government entities to evaluate the effects on Libya, where the UN invoked R2P.

This study includes seven sections. Following this introduction is the analytical historiography. The historiography provides an expanded discussion of the theory of Responsibility to Protect from inception to internalization within US military doctrine. The

progression of the policy from 1948 to present begins with the Genocide Convention, followed by an examination of the brief history of violent episodes that occurred between 1948 and 1990.

Next, the historiography explores the first case of humanitarian intervention in Northern Iraq and the subsequent episode of violence in Rwanda. The section then begins a discussion on the more recent doctrine analyzing the *International Report of the International Commission on Intervention and State Sovereignty*, *Mass Atrocity Response Operation*, *Mass Atrocity Prevention & Response Operations*, and Joint Publication 3-07.3, *Peace Operations*.

The research design follows, explaining how the study tests the hypothesis, leading to the case studies themselves. These in-depth inquiries into Operations Provide Comfort and Unified Protector provide an understanding of how the morally founded idea of intervention to protect civilians was operationalized in two different circumstances, and the aftermath of intervention. After the case studies conclude, this monograph correlates the findings and analysis to the research question, determining if the evidence collected supports, negates, or presents inconclusive findings to support the hypothesis. Finally, the conclusion summarizes the study and discusses the implications for the US military with respect to enforcing the international principle of the Responsibility to Protect.

Analytical Historiography: The Evolution of the International Principle of R2P

The Genocide Convention of 1948 conceived the idea of genocide prevention and made its purpose clear. It focused solely on the act of genocide rather than encompassing other acts of violence against civilians. The General Assembly of 1948 adopted this convention, recognizing that genocide “inflicted great losses on humanity.” The assembly took on the responsibility to punish and prevent such actions in the future.¹³ While prevention is the word that seems to have caused such consternation in the current international arena with respect to R2P, it is one of the original founding principles of the UN in response to the atrocities committed in WWII. Article One (I) of the convention states plainly that the signatories of the convention take on the responsibility of, not only punishing those who committed such violent crimes, but also preventing them from occurring again through the collective moral agreement and obligation associated with the treaty.¹⁴ The convention furthered its efforts to prevent the reoccurrence of such acts of violence through Article Eight (VIII), which established the premise to use all necessary measures under the UN Charter to prevent genocide.¹⁵ This is the foundation for the first internal contradiction of R2P. Article VIII enables the UN under Chapter Seven (VII), Article Forty Two (42) of the UN Charter to use force as a preventative measure to stop genocide, a concept fully embraced under the current revision of R2P.

Despite the international community’s commitment to prevent future genocides through the adoption of the Genocide Convention, mass murder still occurred on a grand scale. However,

¹³ Treaty on Genocide, 280.

¹⁴ “*Article I*, The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.” Treaty on Genocide, 280.

¹⁵ “*Article VIII*, Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.” Treaty on Genocide, 282.

now it was under the guise of maintaining control or security internal to a state, and that state's government was the one conducting or at least condoning it. Between 1949 and 1987, the People's Republic of China murdered 35 million citizens; the Soviet Union murdered 19 million of its own citizens between 1946 and 1987. In a matter of four years, Cambodia slaughtered 2 million members of its population 1958 and 1987, during which time Pakistan also murdered 1.5 million of its citizens.¹⁶

Rather than being viewed as international issues, the international community viewed these episodes of violence as internal domestic matters of the state, protected from international interference under the UN Charter, and attributed to two significant shortfalls in international policy at the time.¹⁷ First, the UN Charter protected sovereign states from international interference under Chapter One (I), Article Two (2), Section Seven (7), which stated that nothing in the UN Charter authorized the international organization or community to interfere in domestic issues of the state.¹⁸ Second, the Genocide Convention only authorized intervention on the

¹⁶ R J. Rummel, "Macht Und Gesellschaft," vol. 2, *Statistics of Democide: Genocide and Mass Murder Since 1900* (Münster: LIT, 1998), 4, 83. The table including all nation-states that conducted democide can be viewed in Appendix B on pages 62 and 63 of this monograph.

¹⁷ Charter of the United Nations, Argentina-Australia-Belarus-Belgium-Bolivia-Brazil-Canada-Chile-China-Colombia-Costa Rica-Cuba-Czechoslovakia-Denmark-Dominican Republic-Ecuador-Egypt-El Salvador-Ethiopia-France-Greece-Guatemala-Haiti-Honduras-India-Iraq-Islamic Republic of Iran-Lebanon-Liberia-Luxembourg-Mexico-Netherlands-New Zealand-Nicaragua-Norway-Panama-Paraguay-Peru-Philippines-Poland-Russian Federation-Saudi Arabia-South Africa-Syrian Arab Republic-Turkey-Ukraine-United Kingdom of Great Britain and Northern Ireland-United States of America-Uruguay-Venezuela, June 26, 1945.

¹⁸ "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter," Charter of the United Nations, 3.

grounds of preventing genocide, which the document defined explicitly.¹⁹ Therefore, if the act of violence did not fall under the internationally accepted definition of genocide, the international community did not have legal justification to intervene. This enabled states to commit mass murder without prejudice.²⁰

As a result, the adoption of the Genocide Convention did not stop or prevent mass murder or violence against populations. Instead, it allowed it to become an internal matter, one protected under the veil of state sovereignty. However, this ended following the Gulf War. The United States' stance on intervention took a drastic turn. Following the expulsion of the Iraqi Army from Kuwait, Saddam Hussein utilized the remnants of the army, to include his Republican Guard, to squelch the Kurdish uprising in northern Iraq.²¹ Within a matter of days, thousands of Kurds fled northern Iraq for Iran and Turkey; however, Turkey denied entry to 400,000 Kurds, leaving them to seek refuge in the mountain pass separating the two countries.²² In the austere environment, it was difficult for the Kurds to survive, becoming nearly impossible with the spread of

¹⁹ "Article II In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such : (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group." Treaty on Genocide, 280.

²⁰ R. J. Rummel, *Death by Government* (New Brunswick, NJ: Transaction Publishers, 1994), 4. Democide: The murder of any person or people by their government, including genocide, politicide and mass murder.

²¹ Gordon W. Rudd, *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort, 1991* (Washington, DC: Dept. of the Army, 2004), 30-31.

²² Taylor B. Seybolt, *Humanitarian Military Intervention: the Conditions for Success and Failure (A Sipri Publication)* (Oxford, NY: Oxford University Press, 2008), 48; Suna Gülfer İhlamur-Öner, "Turkey's Refugee Regime Stretched to the Limit? The Case of Iraqi and Syrian Refugee Flows." *Perceptions* 18, no. 3 (Autumn, 2013): 191-228. Turkey chose to close its borders utilizing security forces to keep the Kurdish refugees from crossing. Although the international community viewed this response negatively and eventually led to its reversal, it was one made out of necessity for self-preservation. The nation, of Turkey, understood its limits and feared this influx would again incite rebellion amongst the Turkish Kurds.

communicable diseases and injuries from the journey north. The population began to suffer approximately 400 casualties per day as a result of their conditions and the world began to take notice.²³ This issue, though internal to the state of Iraq, became the focal point of worldwide media and a crucial stepping-stone for the concept of R2P.²⁴

Prior to this event, there was no precedent for intervention into internal domestic state issues. The Kurdish crisis became the foundation for humanitarian intervention in the 1990s. This incident was unique because the resolution contained two firsts. Initially, the UN Security Council turned an internal matter of a state into a matter of international consequence; in addition, the resolution also requested assistance from third parties for a relief effort. With the adoption of Resolution 688, the Security Council condemned the oppression of the Iraqi civilians, specifically the Kurds. It held that Iraq's repressive actions were a threat to international peace and security in the region and demanded that actions causing the threat cease. The resolution also insisted that Iraq allow the immediate admittance of humanitarian organization into its borders.²⁵

²³ Center for Disease Control, "Public Health Consequences of Acute Displacement of Iraqi Citizens, March-May 1991", *Morbidity and Mortality Weekly Report*, 40, no. 26 (July, 1991): p. 443; R. Yip and T. Sharp, "Acute Malnutrition, and High Childhood Mortality Related to Diarrhea", *Journal of the American Medical Association* 270, no. 5 (Aug, 1993): 587-589; R. Sandler et. al., "Letter from Cukuca: Initial Medical Assessment of Kurdish Refugees in the Turkey-Iraq Border Region", *Journal of the American Medical Association* 266, no. 5 (August, 1991): 638-39.

²⁴ Daniel Schorr, "Ten Days that Shook the White House," *Columbia Journalism Review* 30, no. 2 (July, 1991): 21-23.

²⁵ United Nations Security Council, Resolution 688, 2982th sess., 1991, S/RES/688, accessed March 29, 2016, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/688 (1991).

Following the adoption of Resolution 688, the US, UK, and NATO allies deployed forces to southern Turkey to establish a safe haven for Kurds in northern Iraq.²⁶ What is important to note about this incident is that, although the resolution did not invoke the use of military force under Chapter VII of the UN Charter, it also did not restrict it. The coalition was able to justify their intervention into a sovereign state under the authority of the resolution based on two specific phrases, “threaten international peace and security in the region” and “appeals to all member states... to contribute to these humanitarian relief efforts.”²⁷ Though this is not, and was not, considered an act under the current policy of R2P, it has become what many authors in the field of humanitarian intervention advocate to represent the beginning stages of the policy in action. Operation Provide Comfort was an anomaly at the time, but became the initial form of intervention on the premise of protection.²⁸

This precedent for humanitarian intervention, established in Operation Provide Comfort and founded on the principle of protecting humans from inherent harm, did little to save Rwanda three years later. Between April 7 and mid July 1994, over a span of 100 days, approximately

²⁶ Thomas G. Weiss, *Military-Civilian Interactions: Intervening in Humanitarian Crises*, New Millennium Books in International Studies (Lanham, MD.: Rowman & Littlefield, 1999), 54; Chris Seiple, *The US Military/NGO Relationship in Humanitarian Interventions* (Carlisle Barracks, PA: Peacekeeping Institute, Center for Strategic Leadership, US Army War College, 1996), 21-64.

²⁷ United Nations Security Council, *Resolution 688 (1991)*.

²⁸ Taylor B. Seybolt, *Humanitarian Military Intervention: The Conditions for Success and Failure* (Oxford, England: Oxford University Press, 2007), 1; Michael Newman, *Humanitarian Intervention: Confronting the Contradictions* (New York, NY: Columbia University Press, 2009), 1; Andy Knight and Frazer Egerton, eds., *The Routledge Handbook of the Responsibility to Protect*, Routledge Handbooks (Milton Park, Abingdon, Oxon: Routledge, 2012), 12-13; Thomas G. Weiss, *Humanitarian Intervention: Ideas in Action*, 2nd ed., War and Conflict in the Modern World (Malden, MA: Polity, 2012), 1; Carrie Booth Walling, *All Necessary Measures: The United Nations and Humanitarian Intervention*, Pennsylvania Studies in Human Rights (Philadelphia, PA: University of Pennsylvania Press, 2013), 2.

500,000 to 800,000 people were slaughtered.²⁹ The speed at which the slaughter occurred was “five times that of the Nazi death camps.”³⁰ The rapidity and magnitude of this atrocity exemplified genocide in its purest form, yet no one intervened to stop it. In 1996, a multinational committee published an evaluation titled *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, which identified multiple reasons for the lack of intervention, some of which are critical to the analysis in this study.³¹ The first was “conflicting interests or relative lack of interest among Security Council members in a crisis involving a country of *marginal* strategic importance.”³² The committee also identified the global media as a major contributor to the indifference amongst the international community, because of the lack of media coverage on the genocide. The failure to intervene in Rwanda became the driving force behind the creation and adoption of the current policy of R2P, which addresses the responsibility to intervene.³³

²⁹ Alison Liebhafsky Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999), 15-16; Gérard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1995), 263-65.

³⁰ Prunier, *The Rwanda Crisis: History of a Genocide*, 261.

³¹ John R. Eriksson et al., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience* (Copenhagen, Denmark: Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda, 1996), 3. The committee consisted of representatives from: “Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, United Kingdom, United States of America, Commission of the EU, OECD/DAC secretariat, IOM, UN/DHA, UNDP, UNHCHR, UNHCR, UNICEF, WFP, WHO, IBRD, ICRC, IFRC, ICVA, Doctors of the World, INTERACTION, Steering Committee for Humanitarian Response, VOICE. Several other countries supported the evaluation, but did not participate actively.”

³² Eriksson, *The International Response*, 47.

³³ “‘Humanitarian intervention’ has been controversial both when it happens, and when it has failed to happen. Rwanda in 1994 laid bare the full horror of inaction.” ICISS, ed., *The Responsibility to Protect: Report of the International Commission On Intervention and State Sovereignty* (Ottawa: IDRC Books, 2002), 1; Alex Bellamy, “Making R2P a Living Reality: Reflections on the 2012 General Assembly Dialogue on Timely and Decisive Response,” *Global Responsibility To Protect* 5, no. 1 (January 2013): 110.

In 2001, the government of Canada, with the support and assistance from an International Commission on Intervention and State Sovereignty (ICISS), published the *International Report of the International Commission on Intervention and State Sovereignty*.³⁴ The report focused on addressing Kofi Annan's inquiry, "If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend every precept of our common humanity?"³⁵ In an attempt to answer Kofi Annan's question, the commission manufactured the phrase "The Responsibility to Protect," the subsequent title of the report. The report evaluated the idea of third party intervention and its impacts on state sovereignty protected under the UN Charter and international law, ultimately determining that intervention was an acceptable assault on state sovereignty on the grounds of protecting civilians.³⁶ The report explained the difference between deterrent (preventative) intervention and responsive (reactive) intervention, identifying many ways in which the international community can and should intervene to assist civilians "threatened with massacre, genocide, or ethnic cleansing on a large scale."³⁷ In doing so, it identified military action as a last resort. The commission further clarified the use of military force as an acceptable, "anticipatory measure" to respond to actual or perceived threats to civilian populations.³⁸ The grounds for preemptive measures were expressed through the idea that the

³⁴ The multinational commission consisted of representatives from Algeria, Australia, Canada, Germany, Guatemala, India, Philippines, Russia, South Africa, Switzerland, and the United States.

³⁵ Kofi Annan, *We the Peoples: The Role of the United Nations in the 21st Century* (New York, NY: United Nations, Dept. of Public Information, 2000), 48.

³⁶ The ICISS choose their title and the theme of their report judiciously. "The Commission is of the view that the debate about intervention for human protection purposes should focus not on 'the right to intervene' but on 'the responsibility to protect.'" ICISS, *The Responsibility to Protect*, 17.

³⁷ ICISS, *The Responsibility to Protect*, 31.

³⁸ *Ibid.*, 35.

international community would be placed in a morally compromising position if required to wait until genocide actually occurred before they were able to take collective action.³⁹

This preemptive authority brings to light the first contradiction internal to the policy of R2P. The commission founded the principle on the “purpose of protecting people at risk,” not on attacking or offensively striking out against the perpetrator of the violence.⁴⁰ There is a significant difference between the act of prevention with a purpose of protection, seen through a defensive lens, and its potentially offensive nature, which allows actions to focus on stopping something from occurring.⁴¹ While not described in the report, the ICISS does leave room for this type of interpretation and contradictory idea to formulate. The commission identified a potential need for military forces “to do whatever it takes” to meet their obligation of protection.⁴² What this allows is an offensive multinational action aimed at stopping, and potentially destroying a perpetrator rather than focusing on the protection of civilians. This phrase ultimately negates the commission’s idea of separating this type of military intervention from war on the grounds of not focusing on defeating an enemy.⁴³ It actually enables collective actors to view the perpetrator of

³⁹ ICISS, *The Responsibility to Protect*, 33.

⁴⁰ Ibid., VII, 63. An idea further explained through the description of the use of military force, “the operation is not a war to defeat a state but an operation to protect populations in that state from being harassed, persecuted or killed.”

⁴¹ “Military interventions for human protection purposes have different objectives than both traditional warfighting and traditional peacekeeping operations. Such interventions therefore raise a number of new, different and unique operational challenges. Because the objective of military intervention is to protect populations and not to defeat or destroy an enemy militarily, it differs from traditional warfighting... In warfighting, by contrast, the neutralization of an opponent’s military or industrial capabilities is often the instrument to force surrender.” Ibid., 57.

⁴² “On the other hand, military intervention operations – which have to do whatever it takes to meet their responsibility to protect – will have to be able and willing to engage in much more robust action than is permitted by traditional peacekeeping.” Ibid., 57.

⁴³ Ibid., 57.

the action as the enemy and allows them to focus efforts on their destruction as a means of deterring a mass atrocity, rather than focusing on the actual protection of civilians.

This ambiguity enables the international organization to potentially seek collective action against a sovereign government if they identify it as the perpetrator of the action, facilitating subjective influence by UN officials and member states party to the international body to conduct regime change under the premise of an internationally accepted principle. While the ICISS report does not support such actions and actually identifies them as not being legitimate objectives to the principle itself, it also states clearly that the responsibility to protect civilians falls to the international community when, “the state is unable or unwilling to fulfill this responsibility, or is itself the perpetrator.”⁴⁴ The combination of these two ideas is startling. They result in an approved military action by an international body to conduct regime change as a preemptive measure to stop the perceived threat of massacre, genocide, or ethnic cleansing to civilian populations.

The second contradiction within to the principle of R2P is the lack of defined threshold that initiates intervention. The inconsistency in scale of need or justification for military intervention outlined in the commission’s report is what fuels the possibility of this contradiction coming to fruition. The report identifies that while systematic violence is not acceptable, it does not constitute a need for military intervention.⁴⁵ The commission goes even further to limit the

⁴⁴ “Overthrow of regimes is not, as such, a legitimate objective, although disabling that regime’s capacity to harm its own people may be essential to discharging the mandate of protection – and what is necessary to achieve that disabling will vary from case to case.” ICISS, *The Responsibility to Protect*, 35, 17.

⁴⁵ “First, the Commission has resisted any temptation to identify as a ground for military intervention human rights violations falling short of outright killing or ethnic cleansing, for example systematic racial discrimination, or the systematic imprisonment or other repression of political opponents. These may be eminently appropriate cases for considering the application of political, economic or military sanctions, but they do not in the Commission’s view justify military action for human protection purposes.” Ibid., 34.

purpose of military intervention to specific requirement of perceived or actual, “large scale loss of civilian life or ethnic cleansing.”⁴⁶ Now the question is what the threshold for large scale is, and who exactly determines whether an episode of murder is large enough to warrant a need for military intervention or simply diplomatic means of intervention? The commission failed to define these issues.⁴⁷

The commission did however explore this limitation through consultations with states and ultimately used one ambiguous phrase to define the other. They adopted the threshold of threat to be, “cases of violence which so genuinely ‘shock the conscience of mankind’.”⁴⁸ While this is a palatable phrase in the international community, there is still no measurement to determine if the threshold for intervention has been met.⁴⁹ The variance in threshold is where the second contradiction internal to the principle of R2P lies. Acknowledging what happened in Rwanda as a tragedy to be prevented in the future, the commission did not address the failure to intervene. What if the international community chooses not to prevent harm in the form of genocide, war crimes, crimes against humanity, or ethnic cleansing by simply not acknowledging

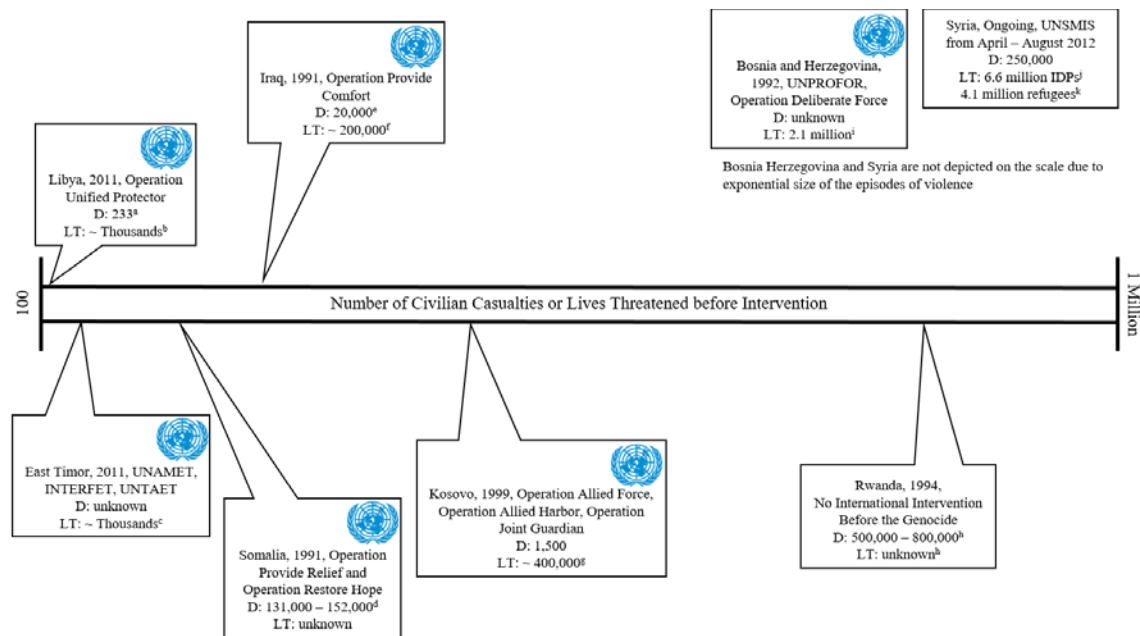
⁴⁶ ICISS, *The Responsibility to Protect*, XII, 34. The requirement is outlined early in the report in the Synopsis under Military Intervention and “The Just Cause Threshold”; however the commission evolves to a very specific use of the phrase, restricting action under the principle to it, “But the Commission’s view is that military intervention for human protection purposes should be restricted exclusively, here as elsewhere, to those situations where large scale loss of civilian life or ethnic cleansing is threatened or taking place.”

⁴⁷ “We make no attempt to quantify ‘large scale’: opinions may differ in some marginal cases (for example, where a number of small scale incidents may build cumulatively into large scale atrocity), but most will not in practice generate major disagreement.” Ibid., 33.

⁴⁸ Ibid., 31.

⁴⁹ “Yet international law has in the past made some claim that there is a limit to the omnipotence of the State and that the individual human being, the ultimate unit of all law, is not disintitiled to the protection of mankind when the State tramples upon its rights in a manner which outrages [shock] the conscience of mankind.” Hartley W. Shawcross, “Statement made during the Proceedings” (Statement, Nürnberg Tribunal, Nürnberg, Germany, 1945-1946). The phrase dates back to the inception of crimes against humanity, which were prosecuted by the International Tribunal at Nürnberg. The phrase is credited to the British Chief Prosecutor, Hartley Shawcross.

it as such? Would that mean that the international community sanctioned the systematic slaughter or simply avoided it like an infectious disease? In addition, if states are not willing to act to stop the violence, why does the principle employ the idea that states will act to prevent it? There is no incentive or deterrent associated with this principle other than the tug at moral conscience and an appeal to emotion. The following figure explores this idea, identifying that the threshold is a sliding scale. It displays Libya, the most recent intervention, on the lower end of the scale, while Rwanda and Syria are on the higher end. This highlights the second contradiction, illustrating that although Rwanda and Syria were larger episodes of violence, the world decided not to intervene.



UN Symbol: indicates UN intervention

D: indicates the number of civilian casualties due to the violence before intervention

LT: indicates the number of civilian lives threatened before intervention, specifically internally displaced persons (IDPs) and refugees

a: "Libya: Governments Should Demand End to Unlawful Killings," Human Rights Watch, February 20, 2011, accessed March 18, 2016, <https://www.hrw.org/news/2011/02/20/libya-governments-should-demand-end-unlawful-killings>.

b: indicates an arbitrary number reported by the media or agency (IGO, NGO), however not confirmed prior to intervention

c: Report of the Security Council mission to Jakarta and Dili, S/1999/976, September 14, 1999, 5, 9.

d: Steven Hansch et al., *Lives Lost, Lives Saved: Excess Mortality and the Impact of Health Interventions in the Somalia Emergency* (Washington, DC: Refugee Policy Group, 1994), 15-25, accessed April 9, 2016, https://archive.org/stream/249490-lives-lost-lives-saved/249490-lives-lost-lives-saved_djvu.txt.

e: David McDowall, *A Modern History of the Kurds*, 3rd ed. (London: IB Tauris, 2004), 372-73.

f: Clyde Haberman, "After the War; Turkey Rejects Mass Entry of Kurds," *New York Times*, April 4, 1991

g: NATO, "NATO's Role in Relation to the Conflict in Kosovo," NATO, 15 July 1999. Web. 9 Apr. 2016. <http://www.nato.int/kosovo/history.htm>.

h: Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999), 15-16; Gérard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1995), 263-65. The estimate of 500,000 was produced by des Forges and the estimate of 800,000 comes from Prunier. The inconsistency is due to the assumptions of the Tutsi population prior to the genocide, which also serves to highlight the unknown number of lives threatened.

i: Thomas G. Weiss and Amir Pasic, "Dealing with the Displacement and Suffering Caused by Yugoslavia's War," in *The Forsaken People: Case Studies of the Internally Displaced*, ed. Roberta Cohen and Francis Mading Deng, (Washington, DC: Brookings Institution Press, 1998), 185.

j: Security Council, "Alarmed by Continuing Syria Crisis," United Nations: Meeting Coverage and Press Releases, accessed April 9, 2016, <http://www.un.org/press/en/2015/sc12008.doc.htm>.

k: IDMC, "Syria," Internal Displacement Monitoring Centre, December, 2015, accessed April 9, 2016, <http://www.internal-displacement.org/middle-east-and-north-africa/syria/>.

Figure 1. Episodes of Large Scale Violence against Civilians, March 1991–Present.

Source: Created by author. Sources of data are in the notes for the figure.

On the scale, the UN symbol depicts where the international community chose to take action, highlighting where the international community identified where the threshold was met. The episodes included in this evaluation are limited to ones that occurred after Operation Provide Comfort, the establishment of a precedence for humanitarian intervention.

While the ICISS brought to light information necessary to the dialogue of intervention with a purpose of protecting civilians, it failed to identify areas of possible contradiction. The two identified above provide significant political maneuverability to both the international community and states at large, enabling the subjective manipulation of the principle. While this was likely not an objective of the commission, it was a consequence of their report, one that would have global impact on the application of R2P. Following the publication of the report, the UN adopted the formative idea in three condensed paragraphs at the 2005 World Summit. The paragraphs themselves became the international principle of R2P that the UN Security Council acknowledged and reaffirmed the following year.⁵⁰ These paragraphs, summarized in the introduction, are displayed in Appendix A on page 60 of this monograph.

Following the adoption and reaffirmation of this principle by the General Assembly and the Security Council, the United States also chose to take action towards incorporating such ideas into its domestic planning policies. President Bush's 2006 National Security Strategy identified genocide as an act that "must not be tolerated;" one of "moral imperative" that requires states to "take action to prevent" using all forms of national power, to include "armed intervention."⁵¹ However, it was not until the 2010 publication of *Mass Atrocity Response Operations: A Military Planning Handbook* that the policy took form through the description of methods and actions associated with the political aim.⁵²

⁵⁰ United Nations Security Council, Resolution 1674, 5430th sess., 2006, S/RES/1674, 2, accessed March 29, 2016, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1674 (2006).

⁵¹ Executive Office of the President of the United States, *The National Security Strategy of the United States of America: March 2006* (Washington, DC: March 2006), 17.

⁵² Sarah Sewall, Sally Chin, and COL A. Dwight Raymond (Ret), *Mass Atrocity Response Operations: Military Planning Handbook* (Cambridge, MA: Harvard Kennedy School, 2010), 8.

The handbook was the outcome of a collaborative effort by the Carr Center for Human Rights Policy and the Peacekeeping and Stability Operations Institute at the US Army War College. The project began in 2007, led by then Director of the Carr Center, Sarah Sewall. Sewall and her team, which included both civilian and military leaders, focused the handbook toward a broad audience to include both military and civilian policymakers in an attempt to highlight the whole of government approach necessary to respond to such a unique episode of violence. Through development, the purpose of the handbook became clear to the team. They chose to center their efforts on insights that could aid future planners who may be “directed to prepare for mass atrocities response.”⁵³

The purpose of the handbook was to assist government entities and policymakers in the creation of military options to address the possible requirement associated with responding to mass atrocities.⁵⁴ While it acknowledges that there are other forms of national power that can and should be utilized to address and prevent such episodes of violence from occurring, the work is primarily aimed at the preparation of “states to use military force and assets *after* mass killings have begun.”⁵⁵ This very statement addresses the ambiguous language of the international principle of R2P and its internal contradiction, formally identifying military intervention as a

⁵³ Sewall et al., *Mass Atrocity Response Operations*, 132-35.

⁵⁴ “A Mass Atrocity Response Operation (MARO) describes a contingency operation to halt the widespread and systematic use of violence by state or non-state armed groups against non-combatants. The MARO Military Planning Handbook explains why MAROs present unique operational challenges and provides framing and planning tools to prepare the military. While primarily intended for military planners, it is also useful for policymakers and other non-military readers interested in the prevention of and military response to mass atrocities. It compares and contrasts MAROs to other types of military operations, explores the specific dynamics of mass atrocity, and outlines the operational and political implications of an intervention to stop attacks upon civilians. The Handbook provides a guide to identify key aspects of a particular MARO environment, frame the problem holistically, develop response options, and design a comprehensive operational concept.” Ibid., 158.

⁵⁵ Ibid., 9, 12; (italics mine).

response rather than a preemptive measure. Though the handbook is not policy, it does serve to aid in the creation and support of political objectives. Using the 2010 Quadrennial Defense Review to lend credibility to the importance of the handbook, the authors attempted to address the issue of “preventing human suffering due to mass atrocities.” With the understanding that the use of military forces may not be necessary in all situations, the authors attempted to provide guidance in the absence of doctrine and best practice in an effort to aid in the planning process.⁵⁶

In an attempt to separate state actions from those of intergovernmental organizations such as the UN, the MARO handbook explicitly stated that it “does not advocate for military intervention,” but instead focuses on, “preparing states operationally for that possibility.”⁵⁷ The authors aimed to be indifferent to political goals and objectives, focusing the majority of their effort on explaining how to conduct such operation rather than deciding whether to conduct them.⁵⁸ However, understanding that our governing apparatus requires political maneuverability, the handbook does highlight the political decision, if necessary, to use military intervention as preventative measure.⁵⁹ It also adopted the international concept of offensive action focused on “stopping the killing of civilians.”⁶⁰ This preemptive political maneuverability and offensive agility lends domestic political aims to the same vicious quagmire as the UN with respect to intervention based on the protection of civilians. While ICISS and R2P explicitly identified their

⁵⁶ Sewall et al., *Mass Atrocity Response Operations*, 14.

⁵⁷ “The MARO Project *does not* advocate for a military intervention or response in a given situation, as some who advocate for R2P may do; the Project *seeks to* prepare states operationally for that possibility.” Ibid., 12.

⁵⁸ “The MARO Project itself is concerned with answering the ‘how,’ not the ‘whether.’” Ibid., 13.

⁵⁹ “While a MARO is focused on ‘responding’ to an ongoing mass atrocity, depending on the situation, it could also include *preventive, deterrent*, and follow-on reconstruction aspects.” Ibid., 23.

⁶⁰ Ibid., 23.

goal as protection, the MARO handbook identified the goal of the intervener as halting or preventing the actions of the perpetrator from harming civilians.⁶¹ The focus enables both political and military leaders to take offensive action against the perpetrator, even if the perpetrator is a sovereign government.

The handbook exemplifies this offensive focus in seven potential approaches to respond to mass atrocities. Only one is defensive in nature, meaning only one focused on protecting civilians while five focused on taking some form of action against the perpetrator. The remaining approach simply seeks to rely heavily on allied forces, and asserts minimal United States involvement.⁶² Though all seven approaches can and are likely to halt mass atrocities, the five, similar to the international principle of R2P, enable the subjective use of military force to further national or international aims under the guise of protection in response to a mass atrocity situation.

While the MARO handbook does provide a detailed reference of steps to guide the processes necessary to create and plan for mass atrocities response, it also has an underlining theme of offensive action. The focus of the military response is centered around the idea of direct intervention, relying heavily on approaches that aim to engage the perpetrator rather than defending the victims. It almost persuasively leads both political and military leaders to take

⁶¹ “In a MARO scenario, an armed party—the perpetrator—is focused first and foremost on killing, wounding, or otherwise harming civilian actors, while the intervener’s goal is to halt or prevent those actions.” Sewall et al., *Mass Atrocity Response Operations*, 26.

⁶² “Saturation— secure a large area with sufficient force deployed in unit sectors. ‘Oil Spot’—systematically secure limited areas with a ‘clear-hold-build’ approach. Separation— establish a demilitarized zone (DMZ) or similar buffer zone between perpetrators and victims. Safe Areas—secure concentrations of vulnerable populations such as internally displaced person (IDP) camps. Partner Enabling—provide advisors, equipment, or specialized support such as deployment or airpower to coalition partners, host nation, or victim groups. Containment— influence perpetrator behavior with strikes, blockades, or no-fly zones. Defeat Perpetrators— attack and defeat perpetrator leadership and/or capabilities.” Ibid., 20. A more detailed explanation of the approaches can be reviewed on pages 70-85 of the handbook.

direct action against the perpetrator rather than choosing to use defensive measures to protect the civilian population. While both options will ultimately halt the violence against the civilian population, the handbook seems to focus more on the enemy rather than the victims, which has the potential to create more violence internal to the state before accomplishing its mission of “stopping the killing of civilians.”⁶³

Similar to MARO, the *Mass Atrocity Prevention & Response Options (MAPRO): A Policy Planning Handbook* published in 2008, focuses on offensive actions to deter the perpetrator as opposed to protecting civilians. In 2008, President Obama set forth a Presidential Study Directive (PSD-10) which established an Atrocities Prevention Board and required multiple US government entities to analyze, determine, and provide recommendations for the creation of a mass atrocities prevention and response policy.⁶⁴ The board was charged with “[coordinating] a whole-of-government approach to preventing mass atrocities and genocide,” while other government entities were responsible for answering how they could support the board and the future policy of prevention.⁶⁵

The US Army Peacekeeping and Stability Operations Institute developed the MAPRO handbook as an informative paper to aid in the understanding of MAPRO situations and to “facilitate appropriate preventive measures” throughout the government. The institute intended it to be “a guide for determining appropriate responses” to atrocity situations.⁶⁶ They advocated that

⁶³ Sewall et al., *Mass Atrocity Response Operations*, 23.

⁶⁴ *Mass Atrocity Prevention & Response Options (MAPRO): A Policy Planning Handbook* (Carlisle, PA: US Army Peacekeeping and Stability Operations Institute, 2012), 1. The PSD-10 assigned this task to: Office of the Vice President, Department of State, Department of the Treasury, Department of Defense, Department of Justice, Department of Homeland Security, United States Mission to the United Nations, Office of the Director of National Intelligence, Central Intelligence Agency, United States Agency for International Development, Joint Chiefs of Staff, Peace Corps, National Security Agency, and Defense Intelligence Agency.

⁶⁵ *Ibid.*, A3-5.

⁶⁶ *Ibid.*, 7.

the handbook was not a “how to” manual for military intervention, but instead a tool to aid decision-makers in determining: whether or not to act, what actions to take, and how to arrange the determined actions.⁶⁷

The authors of the handbook acknowledged its link to the international principle of R2P and adopted the same advantageous idea of prevention. The first of six guiding principles established in the handbook stated, “prevention is preferable to response,” identifying it as the preferred method because, “prevention implies that widespread violence does not occur.” While this is a morally founded ideal, it enables preemptive offensive actions which creates the same conundrum as R2P, but in the domestic policy realm. The authors continued to endorse prevention as the preferred method on the premise that it is likely, “to be less costly and controversial than response actions.”⁶⁸ Whereas the prevention of widespread violence is likely to be seen as objective, the addition of a cost and controversial aspect make the morally founded ideal slide into the subjective realm, establishing the premise that preventative intervention is likely to occur if it benefits the nation intervening.

While the authors take an almost unyielding stance on prevention, they do however acknowledge the need for a wide range of options necessary to influence the circumstances surrounding the potential episode of mass violence. This range of options includes the use of all forms of national power, in all three phases of the MAPRO process (prevention, response, and transition). However, they attempt to limit military intervention to the response and transition phases, similarly to the MARO handbook. This formulates the premise that although prevention is necessary, the institution does not suggest the use of military force as a preventative measure.

⁶⁷ “This Handbook is not intended to be a blueprint for military intervention. Its intent is to support decision-making on whether to take action; what diplomatic, informational military, and economic actions to take; and how the actions should be orchestrated.” *MAPRO*, 24.

⁶⁸ *Ibid.*, 17.

However, understanding that the policymakers are the ones who ultimately make that decision, the handbook does caveat that a diplomatic preventative measure does include advocating for or supporting the adoption of a UN Security Council resolution that authorizes military intervention as a preventative measure against the outbreak of mass atrocities.⁶⁹ The resolution would likely be justified under the international principle of R2P. This diplomatic prevention tool is then supported in the military section by simply stating, “military forces can be used to support diplomatic MAPRO efforts.”⁷⁰

The US Army Peacekeeping and Stability Institute was instrumental in production of both the MARO and MAPRO handbooks. While both publications seem to explain the use of military forces as a responsive measure, they both also identified that, the use of military force as a preemptive measure was in the realm of possibility. This acknowledgement is critical to the idea that political leaders can choose to use military forces as a preventative measure to prevent the onslaught of mass atrocities and genocide. Similar to R2P, both handbooks highlight the political maneuverability available to decision-makers that enables the use of military forces under the guise of mass atrocities prevention or response to further subjective aims of a nation.

The Department of Defense has also adopted this political agility in one of their more recent doctrinal manuals. Joint Publication 3-07.3, *Peace Operations* has dedicated an entire appendix to MARO.⁷¹ The appendix similarly identifies that military activities can be used to “prevent or halt mass atrocities,” and acknowledges that political leaders will determine if a situation is or has the potential to become a mass atrocity. The appendix highlights that military

⁶⁹ *MAPRO*, 90.

⁷⁰ *Ibid.*, 103.

⁷¹ Joint Publication (JP) 3-07.3, *Peace Operations* (Washington, DC: Government Printing Office, 2012), B-1 – B-10. Specifically, Appendix B: Mass Atrocities Response Operations.

leaders should plan for MARO if the situation has the potential to become a mass atrocity. Similar to the two handbooks, the appendix separates the planning for a situation from the decision to act, acknowledging that it is not a decision military leaders can make, but one they will support.

The appendix also incorporated the seven approaches outlined by the MARO handbook. However, the doctrine distinguishes itself from the handbook by establishing characteristics of each approach. The doctrine does not identify or describe the approaches as offensive or defensive in nature, however, only one remains focused on the victims of the civilian population. The lack of identification or focus on the perpetrator in the remaining six provides flexibility to military leaders, and demonstrates that all approaches have the potential to become victim focused and defensive in nature. While the military apparatus does retain its operational flexibility, it does not have the ability to stop the subjective manipulation of its entities. As acknowledged by the doctrine, the national level leaders will determine its mission will be preventative (preemptive) or responsive. This agility, protected and acknowledged by all current publications from the Department of Defense, illustrates the opportunity for the subjective manipulation of a morally founded military operation.

Research Design for Case Studies

Operations Provide Comfort and Unified Protector were selected as the primary case studies for this monograph because of their unique ties to the current principle of R2P. While the execution of Operation Provide Comfort was prior to the formulation of R2P, it became a fundamental precedent for R2P. Operation Unified Protector on the other hand, was selected because it is the only case in which the international community, and the UN Security Council specifically, authorized intervention and the use of military force by invoking the principle of R2P. The operations provide two similar circumstances which were deterred in distinctly different methods, and provide diverse aftermaths for the relative comparison of intervention methods. The operations respectively demonstrate the responsive and proactive nature of R2P.

The categorical phenomena surrounding both cases studied in this monograph is deterrence. Not deterrence in the historically branded definition, but rather a broader sense of the classical political phenomena.⁷² The phenomena that surrounds the idea of how one state can use threats, to include all forms of national power, to influence (deter) the intentions of another state.⁷³ While the majority of scholarly research related to the idea of deterrence focuses on

⁷² John Garnett, *Makers of Nuclear Strategy*, ed. John Baylis (New York: St. Martin, 1991); Anthony Kenny, *The Logic of Deterrence* (Chicago: University of Chicago Press, 1985); Richard Betts, "The Lost Logic of Deterrence: What the Strategy That Won the Cold War Can-And Can't-Do Now," *Foreign Affairs* 92, no. 2 (March 2013): 87-95; John J. Dilulio, "Deterrence Theory," in *Encyclopedia of Prisons and Correctional Institutions*, ed. Mary Bosworth (Oxford, U.K.: Oxford University Press, 2005). The branded definition of deterrence refers specifically to nuclear deterrence, formally named by nuclear strategists such as Bernard Brodie, Herman Kahn, and Henry Kissinger, as explored by Garnett in *Makers of Nuclear Strategy*. In the current context or political strategic writings, it is referred to as simply deterrence (as in Kenny's and Betts' writings); this is not the meaning of the word of referenced here. This section refers to the classical sense of the word as defined by Thomas Hobbes, Cesare Beccaria, and Jeremy Bentham as explored by Dilulio. These theorist explained deterrence in terms of cost and gains, the cost of the crime has to be greater than that gained by the crime itself. The use or threat of deterrence has to cause the individual committing the offense to evaluate if the gain (benefit) of the offense (mass atrocity) is worth the threatened actions (deterrence) coming to fruition.

⁷³ Robert Jervis, "Deterrence Theory Revisited," *World Politics* 31, no. 2 (January 1979): 293-97.

nuclear deterrence, the idea of a broader categorical sense of deterrence as a form of influence outside of the nuclear realm would include R2P.⁷⁴

Deterrence was the goal in both Operation Provide Comfort and Operation Unified Protector. In 1991, a multinational coalition conducted a mission in Northern Iraq to prevent Saddam Hussein from committing a mass atrocity against the Kurdish population.⁷⁵ It is the first incident in history where a state invaded the sovereign territory of another state on the grounds of preventing a humanitarian crisis. This as previously discussed was a groundbreaking operation that was fundamental to the development of the current policy of R2P. The second case, Operation Unified Protector, was the first military intervention authorized by the UN Security Council; the goal was to prevent a humanitarian crisis in Libya in 2011. This was the first incident in which the UN evoked the use of “all necessary measures” to protect a civilian population and deter a mass atrocity under the premise of R2P.⁷⁶

The case analysis centers around four critical inquiries: identification of the problem, political discourse, actions taken, and effects of intervention. These research objectives ensure the collection of the data necessary to analyze each case from development to aftermath, enabling the critical evaluation of the hypothesis. The first two areas of inquiry will establish the causal foundation for the intervention. Identification of the problem will determine if the basis for intervention was allegation or fact, highlighting whether the intervention was preventative

⁷⁴ John Stefos, “Humanitarian Intervention Isolated Impact or Broader Deterrent?” (study, American University, 2012), 6-7, accessed March 16, 2016, <http://aladinrc.wrlc.org/bitstream/handle/1961/10699/Stefos,%20John-%20Spring%2012.pdf?sequence=1>.

⁷⁵ Gordon W. Rudd, *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort, 1991* (Washington, DC: Dept. of the Army, 2004), 48-9.

⁷⁶ United Nations Security Council, Resolution 1973, 6498th sess., 2011, S/RES/1973, 3, accessed March 29, 2016, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973 (2011).

(preemptive) or responsive deterrence. It will also provide insight to the underlying motivations to intervene. Political discourse will bring the political aims of the major actors to the foreground, highlighting all aspects of the objective and subjective justifications behind the intervention.

The last two categories of inquiry will bring to light the effects of the intervention. Actions taken will demonstrate whether the operation was defensive, focused on protecting the civilians at risk, or offensive, aimed at defeating or destroying the threat. This will also serve to support further reflection of the political aims previously discussed. Finally, by discussing the effects of the intervention, and the aftermath of actions taken, the study will be able to differentiate between the moral ideal of the responsibility to protect life and the actual adopted principle of R2P.

After the data is collected, chapter six will evaluate the findings through qualitative analysis. This will to determine the similarities and differences between the cases in the four focus areas. The research will seek to determine if there was subjective manipulation of military operations and if manipulation served to create more rather less violence. However, if this research fails to produce a direct correlation between subjective political use of military forces and an increase in violence, then R2P may not be the reason for the increase in violence but rather a result of an accumulation of dynamic events.

Military Intervention in Northern Iraq: Operation Provide Comfort

Near the end of Operation Desert Storm, as Saddam Hussein started to make concessions to the UN's demands, President George Bush began to explain to the world that there was a second way for the war to end. On February 15, 1991, he explained that if, "[the] Iraqi military and the Iraqi people [could] take matters into their own hands -- to force Saddam Hussein, the dictator, to step aside," the war and the violence could end. However, this request for a stand against Saddam Hussein did not come soon enough.⁷⁷ On February 27, President Bush announced the cessation of offensive operations in the Persian Gulf, and although Mr. Hussein was still in power, the President made it clear that, "[US] military objectives [were] met." He did however, reiterate that he looked forward to one-day Iraq being, "led by people prepared to live in peace." This speech clearly illustrated that regime change or regime removal was not an objective of the operation, however, the President did welcome the idea.⁷⁸

Between March 5 and 20, the idea came to life. Capitalizing on Saddam Hussein's weakness following the Gulf War, the Kurdish population began to rebel with great success in northern Iraq. In a matter of two weeks, the uprising took control of six major cities.⁷⁹ However, the success was short lived. Saddam Hussein employed the remnants of his army to crush the rebellion. By March 22, multiple news outlets began to publish articles referencing Saddam

⁷⁷ George Bush, "Remarks to the American Association for the Advancement of Science" (speech, February 15, 1991).

⁷⁸ George Bush, "Address to the Nation on the Suspension of Allied Offensive Combat Operations in the Persian Gulf" (speech, February 27, 1991).

⁷⁹ Faleh Abd al-Jabbar, "Why the Uprising Failed," *Middle East Report* 22, no. 3 (May/June 1992): 8. The cities were captured in the following order: Sulaymaniyah, March 7 and 8; Halabjah, March 9; Erbil, March 11; Dahuk, Zakho, March 10; Kirkuk, March 20.

Hussein's use of military force, to include chemical weapons, to squelch the Kurdish uprising.⁸⁰ Although Saddam's actions became a focal point of the media, it was not a concern expressed in early political discourse. President Bush did not see it as a matter of concern for the United States. In an official statement by Marlin Fitzwater, the White House Press Secretary, the Bush administration established their agenda. "The United States did not intend to interfere with Baghdad's attempts to put down the rebellion."⁸¹ It was clear. The United States policy makers had no intention of going back to Iraq after just leaving victoriously.

As Saddam began a more brutal crackdown on the rebellion, the Kurdish population began to flee the state, seeking refuge in neighboring states. However, one significant issue arose. While Iran had welcomed the Kurdish refugees, Turkey chose to close its borders, leaving 200,000 Kurds stranded in the mountains between Iraq and Turkey. Turkey expressed to the world media that it was not their fault, but Saddam Hussein, who had put this population in "moral danger." They justified their actions by stating they were simply not prepared to receive such a large number of refugees.⁸² By April 3 political discourse within the international community began, first identifying the refugee situation as an issue that required attention. In a

⁸⁰ Robert Siegel, "Kurds Struggle against Iraq and Request United States Help" (Text of NPR radio broadcast, Washington, DC, March 26, 1991); Associated Press, "Rebels Say Iraq using Chemicals, Napalm," *Las Vegas Review - Journal*, Mar 22, 1991. 3a; Robin Wright, "Hussein 'still Calling Shots,' Bush Observes," *Los Angeles Times*, March 24, 1991; Chicago Tribune Wires, "Hussein Crushing Rebels, US Says Win in South May Aid Fight Vs. Kurds," *Chicago Tribune*, March 26, 1991; Chicago Tribune Wires, "92 Senegalese Soldiers Die in Gulf Plane Crash," *Chicago Tribune*, March 22, 1991.

⁸¹ Andrew Rosenthal, "After the War," *New York Times*, March 27, 1991, accessed March 29, 2016, <http://www.nytimes.com/1991/03/27/world/after-war-us-fearing-iraqi-breakup-termed-ready-accept-hussein-defeat-rebels.html>.

⁸² Katayon Ghazi, "After the War; Iran Says One Million Iraqi Kurds Are on Its Border and May Be Admitted," *New York Times*, April 5, 1991, accessed March 29, 2016, <http://www.nytimes.com/1991/04/05/world/after-war-iran-says-one-million-iraqi-kurds-are-its-border-may-be-admitted.html>; Clyde Haberman, "After the War; Turkey Rejects Mass Entry of Kurds," *New York Times*, April 4, 1991, accessed March 29, 2016, <http://www.nytimes.com/1991/04/04/world/after-the-war-turkey-rejects-mass-entry-of-kurds.html>.

letter to the UN Security Council, Turkey called the large refugee flow a “threat to the region’s peace and security,” and requested the Security Council meet “immediately to consider this alarming situation.” Meanwhile, France called on the Security Council to “condemn all forms of repression in Iraq.”⁸³ The international community had identified the issue, through both the media and growing security dilemma in Turkey, but what would be the cause for actions? The growing humanitarian crisis or regional security?

The United States could no longer ignore the escalating situation in Iraq and the political narrative began to take form on April 4 when representatives in Congress spoke publicly about the United States’ nonintervention policy. Representative Ackerman, a democrat from New York stated, “We encouraged the Kurds to get into it,” highlighting the possibility for the United States to take responsibility. “I don’t think it’s right for us to stand by,” said Senator Albert Gore Jr., a democrat from Tennessee. The Senate Majority Leader, George Mitchell, even suggested that the United States’ take offensive action against Iraqi military equipment to prevent a massacre of the Kurds. Representative Gus Yatron, a democrat from Pennsylvania, went as far as to say that the United States policy is the same as before the Gulf War, “to ignore the plight of the Kurds.”⁸⁴ With growing decent domestically, the Bush administration could no longer overlook the issue.

⁸³ John Goshko, “UN Action Urged On Crisis in Iraq; Turkey Says 220,000 Flee to Border,” *Washington Post*, April 3, 1991, accessed March 29, 2016, http://fw8pk7vf4q.search.serialssolutions.com/?ctx_ver=Z39.88-2004&ctx_enc=info%3Aofi%2Fenc%3AUTF8&rft_id=info:sid/summon.serialssolutions.com&rft_val_fmt=info:ofi/fmt:kev:mtx:journal&rft.genre=article&rft.atitle=U.N.+Action+Urge.

⁸⁴ “We encouraged the Kurds to get into it, the president gave them encouragement, and now that they’re in the thick of it, we’re just holding their coat,” said Rep. Gary Ackerman. “I don’t think it’s right for us to stand by and do nothing while the Kurds and others who oppose Saddam Hussein are being slaughtered,” said Senator Albert Gore. “Unfortunately US policy tended to ignore the plight of the Kurds prior to the Persian Gulf crisis and our current policy seems consistent with that same approach,” said Representative Gus Yatron. Leslie Phillips, “Congress May Put Pressure On Bush,” *USA Today*, April 4, 1991, accessed March 29, 2016, http://fw8pk7vf4q.search.serialssolutions.com/?ctx_ver=Z39.88-2004&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft_id=info:sid/summon.serialssolutions.com&rft_val_fmt=info:ofi/fmt:kev:mtx:journal&rft.genre=article&rft.atitle=Congress+may+put.

Not unlike the United States' domestic controversy about the issue, the international community struggled to agree as well. The Soviet Union, China, and India all expressed their concerns for the international community to intervene in the domestic affairs of a state.⁸⁵ At the time, there was no precedent for humanitarian intervention, and many feared what might happen in the future if the community authorized intervention. However, this uncertainty did not stop the UN Security Council from taking action. The first action was taken on April 5, the UN Security Council adopted Resolution 688, which condemned the repressive actions taken against the Iraqi population and demanded that Iraq "immediately end [the] repression." The resolution also appealed to the UN member states and nongovernmental organizations to "contribute to [the] humanitarian relief efforts."⁸⁶

On the same day, President Bush also chose to take action. After conferring with his British and French allies, President Bush stated his political objectives for Operation Provide Comfort, explaining that this was "an interim measure designed to meet an immediate, penetrating humanitarian need. Our long-term objective remains the same for Iraqi Kurds, and indeed, for all Iraqi refugees, wherever they are, to return home and to live in peace, free from

⁸⁵ "A Soviet official said today his country had misgivings about taking any action that could be construed as intervening in Iraq's affairs. China's UN ambassador said much the same thing yesterday after voting for the resolution spelling out terms for the Gulf War cease-fire. And India's ambassador, Chamiah Garracon, today even raised questions about granting humanitarian aid to the rebels. He said the UN has mechanisms for sending such aid, and it is inappropriate for the Security Council to get involved now." Linda Wertheimer, "Some at United Nations Oppose Resolution About Kurds" (Text of NPR Radio Broadcast, Washington, DC, April 4, 1991), accessed March 29, 2016, http://fw8pk7vf4q.search.serialssolutions.com/?ctx_ver=Z39.88-2004&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft_id=info:sid/summon.serialssolutions.com&rft_val_fmt=info:ofi/fmt:kev:mtx:journal&rft.genre=article&rft.atitle=SOME+AT+UNITE+D+N.

⁸⁶ USCR 688, 1.

oppression, free to live their lives.”⁸⁷ This resulted in the second action, the creation of a coalition and the establishment of Operation Provide Comfort.

Operation Provide Comfort started out as a humanitarian mission, providing for the needs of the Kurds from the air. The humanitarian operation then expanded to include the establishment of a no-fly zone, north of the 36° parallel, which denied Iraq’s use of fixed wing and rotary wing assets to target the Kurdish population.⁸⁸ While the coalition initially relied on airdrops to provide humanitarian assistance to the refugees and a no-fly zone to protect them, the situation on the ground was not improving. After a visit from Secretary of State James A. Baker, the operation took on a new form. The idea was to move into the mountainous area and provide for the immediate needs of the Kurds by establishing shelters, and rendering medical attention, evolving the operation to include a ground contingent.⁸⁹ The ground operation later expanded out of Turkey and back into the borders of Iraq to establish safe havens for the refugees to return home.⁹⁰ While Resolution 688 did not permit the use of force, it also did not preclude it. This vagueness was used as an opportunity by the United States and United Kingdom to infringe on

⁸⁷ Colin Powell, interviewed by Gordon Rudd, September 3, 1992.

⁸⁸ Karl P. Mueller, *Denying Flight: Strategic Options for Employing No-Fly Zones* (Washington, DC: RAND, 2013), 4. The no-fly zone was enforced by the US, UK, and Turkey and although the name of the operation changed, the no-fly zone was enforced until 2003.

⁸⁹ Gordon W. Rudd, *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort, 1991* (Washington, DC: Dept. of the Army, 2004), 48-9.

⁹⁰ David Malone, *The International Struggle over Iraq: Politics in the UN Security Council 1980-2005* (Oxford: Oxford University Press, 2006), 89; Micah Zenko, *Between Threats and War: US Discrete Military Operations in the Post-Cold War World* (Stanford, CA: Stanford Security Series, 2010), 32.

Iraq's territorial boundaries in order to aid in the humanitarian relief mission, a concept fully supported by the US Senate.⁹¹

Throughout the course of the operation, the UN and coalition did not take offensive actions against the regime, but instead, remained focused on defensive measures, enforcing a no-fly zone and creating safe havens that would protect the Kurdish population. After the ground operation concluded, Saddam Hussein remained in power, although he was the perpetrator of the brutality.⁹² The no-fly zone eventually transitioned from Operation Provide Comfort to Operation Northern Watch, which lasted until 2003. Operation Northern Watch achieved its goal of protecting the Kurdish population from attacks by the Saddam regime.⁹³ An unintended consequence of the operation was the creation of an autonomous Kurdish enclave, one that lacked Iraqi government control and relied heavily on self-governance.⁹⁴

⁹¹ Nicholas Kerton-Johnson, *Justifying America's Wars: The Conduct and Practice of Us Military Intervention*, Contemporary Security Studies (London: Routledge, 2011), 51; To Condemn the Treatment of the Kurdish And Other Refugees in Iraq and to Urge Immediate Humanitarian Assistance and an End to Repression Against Refugees By The Government Of Iraq, H. Res. 126, 102nd Cong., 1st sess., (April 16, 1991): H1.

⁹² Sarah Graham-Brown, *Sanctioning Saddam: The Politics of Intervention in Iraq* (London: I.B. Tauris in association with MERIP, 1999), 156; David Malone, *The International Struggle Over Iraq*, 94.

⁹³ Jeremiah Gertler et al., *No-Fly Zones (NFZ): Strategic, Operational, and Legal Considerations for Congress* (Washington, DC: Congressional Research Service, 2011), 2. The cause of the longevity of the operation is unknown; however, the Congressional Research Service assessed the cause to be a lack of a "political endstate" or any linkage of the aim of the operation to an endstate.

⁹⁴ Graham-Brown, *Sanctioning Saddam*, 110-12.

Military Intervention in Libya: Operation Unified Protector

In early 2011, antigovernment protest surged in the Middle East, and in February, they spread to Libya, a state ruled by Muamar Qaddafi for over 40 years.⁹⁵ The protests themselves caught the media's attention; however, it was the response by the Libyan government that maintained the international narrative. On February 18, 2011, the allegations of unnecessary violence against civilians started to take hold. Joe Stork, the deputy Middle East and North Africa director at Human Rights Watch (HRW) said, "Muammar Gaddafi's security forces are firing on Libyan citizens and killing scores simply because they're demanding change and accountability," in a news release from HRW. The article also estimated that the total deaths in the current hostilities had reached 84 in a matter of three days.⁹⁶

The violence continued as a focal point of the media, and Human Rights Watch remained abreast of the situation as it unfolded. On February 20, 2011, Sarah Leah Whitson, the director of HRW in the Middle East and North Africa began to use the word "massacre" to describe the escalating violence in Libya in an updated HRW news release. This same news release also claimed the death toll had risen from 84 to 233 in just two days.⁹⁷ However, it was not until two leaders from Libya spoke to the world media that world leaders identified it as a crisis. The first was Libya's deputy permanent representative to the UN. Ibrahim O. Dabbashi held a press conference on February 21, 2011, in which he claimed, "We are sure that what is going on now in

⁹⁵ CNN Wire Staff, "Protests Spread to Libya," *CNN*, February 16, 2011, accessed March 18, 2016, <http://www.cnn.com/2011/WORLD/meast/02/16/muslim.world.unrest/>.

⁹⁶ Human Rights Watch, "Libya: Security Forces Kill 84 Over Three Days," February 18, 2011, accessed March 18, 2016, <https://www.hrw.org/news/2011/02/18/libya-security-forces-kill-84-over-three-days>. Human Rights Watch is a global nongovernmental organization that fights for human rights.

⁹⁷ Human Rights Watch, "Libya: Governments Should Demand End to Unlawful Killings," February 20, 2011, accessed March 18, 2016, <https://www.hrw.org/news/2011/02/20/libya-governments-should-demand-end-unlawful-killings>.

Libya is crimes against humanity and crimes of war.” He continued saying, “The regime of Qaddafi has already started the genocide against the Libyan people.”⁹⁸ These were dangerous phrases, pulled directly from the R2P paragraphs; phrases that evoked a responsibility. However, these were still allegations. Mr. Dabbashi presented no facts to the global media, and though the number of casualties was growing, it was unclear whether they had reached the threshold of intervention.

The plausible confirmation of these allegations came the next day in a speech given by Muammar Gaddafi himself. In the speech, Gaddafi promised that, “[he] and the millions will march in order to cleanse Libya, inch by inch, house by house, home by home, alley by alley, individual by individual, so that the country is purified from the unclean.” He called on his nation, to “go out” and to secure their lands from these “riffraff,” “alien hireling,” and “rats.”⁹⁹ While this may seem to be rhetoric, it caused the proverbial hairs to stand up on many leaders’ necks. They were words uttered before, words that came before great consequence and held substantial meaning to the international community. They were the words used by the Nazis to dehumanize the Jewish population, and while not the same pest, the Tutsis in Rwanda, were

⁹⁸ Colin Moynihan, “Libya’s UN Diplomats Break with Qaddafi,” *New York Times*, February 21, 2011, accessed March 18, 2016, http://www.nytimes.com/2011/02/22/world/africa/22nations.html?_r=2&hp; Ibrahim Dabbshi, “Libya’s deputy envoy to the UN: ‘What’s happening is genocide,’” BBC News, February 21, 2011, accessed March 18, 2016, <http://www.bbc.com/news/world-middle-east-12527601>; “Libya Envoy Accuses Gaddafi of ‘genocide,’” *Sydney Morning Herald*, February 22, 2011, accessed March 18, 2016, <http://www.smh.com.au/world/libya-envoy-accuses-gaddafi-of-genocide-20110221-1b2wo.html>.

⁹⁹ Muammar Gaddafi, “Excerpts from Libyan Leader Muammar al- Qaddafi’s Televised Address,” in Council on Foreign Relations/Foreign Affairs, *The New Arab Revolt: What Happened, What It Means, and What Comes Next* (New York, NY: Council on Foreign Relations/Foreign Affairs, 2011), 416-20.

likened to “cockroaches” by the national radio before the genocide.¹⁰⁰ These were signs seen before, signs previously ignored by the international community.

The violence and the growing unrest in Libya sparked a worldwide outrage. Though it is uncertain who was the first leader to speak out about the episode, it was clear that no nation other than Gaddafi approved of what was happening in Libya. On February 22, the Arab League suspended Libya from participation, citing that the actions taken by the government of Libya against the protestors were “grave breaches of human rights.”¹⁰¹ The same day the United Kingdom also condemned the actions of Gaddafi. Foreign secretary William Hague stated, “The world [was] watching, with mounting concern” and that the Libyan government would be held accountable for their actions.¹⁰² The next day President Obama publicly condemned the violence as “outrageous,” even referring to it as, “unacceptable.” Though how the United States and its

¹⁰⁰ Gregory Stanton, “The eight stages of genocide,” *Genocide Watch* (1998). While Gregory Stanton was the president of Genocide Watch, he published a short paper on what he believed to be the eight stages of genocide. In a revised version, he used previous examples to highlight his point. “Classification and symbolization are fundamental operations in all cultures. They become steps of genocide only when combined with dehumanization. Denial of the humanity of others is the step that permits killing with impunity. The universal human abhorrence of murder of members of one's own group is overcome by treating the victims as less than human. In incitements to genocide the target groups are called disgusting animal names - Nazi propaganda called Jews ‘rats’ or ‘vermin’; Rwandan Hutu hate radio referred to Tutsis as ‘cockroaches.’ The targeted group is often likened to a ‘disease’, ‘microbes’, ‘infections’ or a ‘cancer’ in the body politic. Bodies of genocide victims are often mutilated to express this denial of humanity. Such atrocities then become the justification for revenge killings, because they are evidence that the killers must be monsters, not human beings themselves.”

¹⁰¹ Ola Galal, “Arab League Bars Libya from Meetings, Citing Forces’ “crimes,” *Bloomberg Business*, February 22, 2011, accessed March 23, 2016, <http://www.bloomberg.com/news/articles/2011-02-22/arab-league-bars-libya-from-meetings-citing-forces-crimes->.

¹⁰² “Libya Violence Condemned by UK Government,” *Travel Weekly*, February 22, 2011, accessed March 23, 2016, <http://www.travelweekly.co.uk/articles/36215/libya-violence-condemned-by-uk-government>.

allies would respond to the incident was still unknown, President Obama made it clear that there would be a response to the “crisis.”¹⁰³

From condemnation to action, the world leaders began to take necessary measures to persuade the world to act. One of the first to speak of action was the UN Secretary General, Ban Ki-moon. In an interview, Ki-moon spoke to the scale of violence and explained what was happening in Libya as, “violations of international humanitarian and human rights law.” Continuing, he said that the perpetrators of the violence “must be punished.”¹⁰⁴ By February 25, President Obama had spoken to leaders from France, Italy, and the United Kingdom in regards to coordinating a multinational response.¹⁰⁵ Turkey and the United Arab Emirates also spoke out calling for the immediate end to the violence.¹⁰⁶ On February 26, the international community responded with one voice. The UN Security Council unanimously adopted Resolution 1970, “[demanding] an immediate end to the violence.” The resolution referred the situation to the International Criminal Court for investigations of allegations made previously (genocide, war crimes, crimes against humanity) and included specified sanctions on arms, travel, and assets.

¹⁰³ Barack Obama, “President Obama Speaks on the Turmoil in Libya: ‘This Violence Must Stop,’” (speech, February 23, 2011).

¹⁰⁴ United Nations, “Ban Strongly Condemns Qadhafi’s Actions against Protesters, Calls for Punishment,” *UN News Centre*, February 23, 2011, accessed March 23, 2016, <http://www.un.org/apps/news/story.asp?NewsID=37599#.VvK0Hmb2bjd>.

¹⁰⁵ “Thursday’s discussions were to ‘coordinate our urgent efforts to respond to developments and ensure that there is appropriate accountability.’... ‘The leaders discussed the range of options that both the United States and European countries are preparing to hold the Libyan government accountable for its actions, as well as planning for humanitarian assistance,’ the White House statement said.” CNN Wire Staff, “Obama Talks Libya with Leaders of France, Italy, Uk,” *CNN*, February 25, 2011, accessed March 21, 2016, <http://www.cnn.com/2011/WORLD/africa/02/24/us.obama.libya/>.

¹⁰⁶ Abdullah al-Mutawaa, “UAE and Turkey Urge Libya to Stop Violence Immediately,” *Al Arabiya News*, February 25, 2011, accessed March 23, 2016, <https://www.alarabiya.net/articles/2011/02/25/139250.html>.

The UN was clear. It was holding the Libyan authorities accountable for their “responsibility to protect its population.”¹⁰⁷

Although the international community did act to deter further aggressive actions by the Qaddafi regime, increasing death tolls continued to be reported.¹⁰⁸ The violence did not seem to diminish and political leaders began to demand a broad range of actions. Secretary of State Clinton was one of the first to call for Qaddafi to step down.¹⁰⁹ While other national leaders discussed the pros and cons of a no fly zone, some nations took it as far as to begin drafting a UN

¹⁰⁷ United Nations, “Voting Record Search,” United Nations Bibliographic Information System, February 26, 2011; United Nations Security Council, Resolution 1970, 6491st sess., 2011, S/RES/1970, 2, accessed March 29, 2016, [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1970\(2011\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1970(2011)).

¹⁰⁸ “The death toll has topped 1,000, according to an estimate from U.N. Secretary-General Ban Ki-moon.” CNN Wire Staff, “Gadhafi Clings to Power amid Growing Support for Protests,” *CNN*, February 28, 2011, accessed March 23, 2016, <http://www.cnn.com/2011/WORLD/africa/02/28/libya.protests/>. “Libya's ambassador to the United States estimated Monday that the death toll was about 2,000.” CNN Wire Staff, “International Pressure on Gadhafi Increases,” *CNN*, March 2, 2011, accessed March 23, 2016, <http://www.cnn.com/2011/WORLD/africa/03/01/libya.protests/>. “The Libyan Human Rights League puts the death toll at 6,000 in the last two weeks - with 3,000 killed in Tripoli, 2,000 in Benghazi and 1,000 in other cities. Impossible to verify, of course, but terrible none the less.” Chris Irvine, Emma Firth, and Andrew Hough, “Libya Protests: As It Happened March 2,” *Telegraph*, March 2, 2011, accessed March 23, 2016, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8358737/Libya-protests-as-it-happened-March-2.html>.

¹⁰⁹ “And the people of Libya have made themselves clear: It is time for Gaddafi to go -- now, without further violence or delay.” Secretary Clinton told the UN Human Rights Council in Geneva. Stephanie Nebehay and Laura MacInnis, “Clinton Says Gaddafi Must Go,” *Reuters*, February 28, 2011, accessed March 23, 2016, <http://www.reuters.com/article/us-libya-usa-clinton-idUSTRE71Q1JA20110228>.

resolution to bring before the Security Council.¹¹⁰ However, most leaders, similar to Secretary Clinton, began to call for Qaddafi to step down. President Obama was very clear with his message to the Libyan leader on March 3, stating, “Step down from power and leave.”¹¹¹ This demand also came from the rebel faction in Libya. In a letter to the UN dated March 5, the faction called themselves the Interim Transitional National Council (TNC), and “[declared] that it [was] the sole representative of all Libya.” The council also requested the international community to act and “fulfill its obligations to protect the Libyan people from any further genocide and crimes against humanity.” There was only one caveat to their request. They wanted no military forces on Libyan soil.¹¹²

While the UN and other nations considered this request, France took it one-step further, and formally recognized the TNC as the sovereign government of Libya on March 10.¹¹³ Though the European Union (EU) and the United States did not follow suit, they did hold to their opinion that Gaddafi must go. At a summit held by the EU on the issue, the president of the European Commission summarized the overwhelming opinion of the EU on March 11 by saying, “The

¹¹⁰ Christopher Hope, “Libya: Cameron Plan for No-Fly Zone Shunned by World Leaders,” *Telegraph*, March 2, 2011, accessed March 23, 2016, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8355849/Libya-Cameron-plan-for-no-fly-zone-shunned-by-world-leaders.html>; Associated Press, “Britain and France Drafting No-Fly Libya Resolution,” *USA Today*, March 7, 2011, accessed March 23, 2016, http://usatoday30.usatoday.com/news/world/2011-03-07-libya-no-fly_N.htm. Many leaders provided their opinion on the no fly zone over Libya, and none seemed to agree. Leaders who did provide remarks included UK Prime Minister David Cameron, Russian Foreign Minister Sergey Lavrov, France’s Minister for European Affairs Laurent Wauquiez, and US Defence Secretary Robert Gates.

¹¹¹ Mimi Hall, “President Obama Tells Libya's Gadhafi to Step Down,” *USA Today*, March 3, 2011, accessed March 23, 2016, http://usatoday30.usatoday.com/news/washington/2011-03-04-obama04_ST_N.htm.

¹¹² Bill Varner, Zachary A. Goldfarb, and Andrew Hough, “Libyan Rebels Appeal to Un for Protection, Formal Recognition,” *Washington Post*, March 8, 2011, accessed March 23, 2016, <http://www.washingtonpost.com/wp-dyn/content/article/2011/03/08/AR2011030804399.html>.

¹¹³ “Libya: France Recognizes Rebels as Government,” *BBC*, March 10, 2011, accessed March 23, 2016, <http://www.bbc.com/news/world-africa-12699183>.

problem has a name: Gaddafi. He must go.”¹¹⁴ The same day, President Obama clarified his true aim for the situation in Libya. “Let me be as clear as I can about the desired outcome from our perspective, and that is that Gaddafi step down.”¹¹⁵ This demand became the formal cry of national leaders, with Turkey and Denmark adding to the list of twenty eight states and the UN Secretary General that require a new leader of Libya.¹¹⁶

On March 14, the political dialogue turned into action. The League of Arab States acted first, sending a letter to the UN requesting that the Security Council, “shoulder its responsibilities” and take necessary measures to: impose a no fly zone over Libya, create safe havens for Libyan civilians as a “precautionary [measure],” while respecting the territorial sovereignty of, “neighboring States,” to work with the TNC of Libya, and to provide support to the Libyan people.¹¹⁷ It was clear. The UN Security Council had multiple state and intergovernmental organizations demanding action be taken as the situation in Libya continued to escalate. On March 17, the Security Council adopted Resolution 1973, authorizing all member

¹¹⁴ “Libya: US and EU Say Muammar Gaddafi Must Go,” *BBC*, March 11, 2011, accessed March 23, 2016, <http://www.bbc.com/news/world-europe-12711162>.

¹¹⁵ Perry Bacon, Zachary A. Goldfarb, and Andrew Hough, “Obama Repeats Call for Gaddafi to Step Down, Pledges Help for Japan,” *Washington Post*, March 11, 2011, accessed March 23, 2016, <http://www.washingtonpost.com/wp-dyn/content/article/2011/03/11/AR2011031101893.html>.

¹¹⁶ “Turkish Prime Minister Tayyip Erdogan said he told Libyan leader Muammar Gaddafi he should appoint a president with popular support as a way to end the country's crisis.” “Turkey Says Told Gaddafi to Appoint a President,” *Reuters*, March 14, 2011, accessed March 23, 2016, <http://www.reuters.com/article/libya-turkey-proposal-idUSLDE72D12E20110314>; “‘He should be history,’ [Danish Prime Minister Lars Loekke] Rasmussen said.” David Jackson, Zachary A. Goldfarb, and Andrew Hough, “Obama, Danish PM Both Want Gadhafi Out,” *USA Today*, March 14, 2011, accessed March 23, 2016, <http://content.usatoday.com/communities/theoval/post/2011/03/obama-danish-pm-both-want-gadhafi-out/1#.VvLnLLP2bjc>.

¹¹⁷ United Nations Security Council, Letter dated 14 March 2011 from the Permanent Observer of the League of Arab States to the United Nations addressed to the President of the Security Council, 2011, S/2011/137, 2-3, accessed March 29, 2016, <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%202011%20137.pdf>.

states “to take all necessary measures...to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya.” The resolution excluded the use of ground forces, but imposed a no-fly zone. The resolution also reaffirmed the sanctions previously established.¹¹⁸

Following the adoption of this resolution, President Obama reemphasized the reasoning behind the international communities’ need to intervene. He stated, “Left unchecked, we have every reason to believe that Qaddafi *would* commit atrocities against his people. Many thousands *could* die. A humanitarian crisis *would* ensue.”¹¹⁹ This, although not stipulated in the resolution itself, affirms that the actions taken by all parties to include the League of Arab States, the EU, and the UN was preemptive, acting to deter the crisis rather than responding to it.

Between March 19 and March 31, there were four separate operations conducted in Libya with participants from eleven separate states.¹²⁰ These operations, though not unified, did demonstrate a multinational effort to aid the Libyan people. However, because of the UN exclusion of military ground forces, the operations primarily focused on Qaddafi’s forces, aiming to deny them access to the civilian population from the air, and transforming a protective mandate into an offensive action. The operations continued separately until the commencement of

¹¹⁸ UNSCR 1973, 3; United Nations, “Voting Record Search,” United Nations Bibliographic Information System, March 17, 2011. The resolution was not adopted unanimously; China, Brazil, Germany, India, and Russia all abstained from the vote. This demonstrated disapproval on their behalf, but did not veto the vote simply because Russia and China the two permanent chaired states did not vote no. This action of abstention allowed the action to progress forward with no delay.

¹¹⁹ Barack Obama, “Remarks by the President on the Situation in Libya” (speech, March 18, 2011; italics mine).

¹²⁰ Jeremiah Gertler, *Operation Odyssey Dawn (Libya): Background and Issues for Congress*, Washington, DC: US Library of Congress, Congressional Research Service, March 28, 2011, 15-20. Operations names and participants are as follows: Canada, Operation Mobile; France, Operation Harmattan; United Kingdom, Operation Ellamy; United States, Operation Odyssey Dawn (Belgium, Denmark, Italy, The Netherlands, Norway, Qatar, Spain, and the United Arab Emirates).

Operation Unified Protector, the NATO commanded mission to protect civilians in Libya.¹²¹ This operation focused on “conducting air and naval strikes against military forces involved in attacks or threatening to attack Libyan civilians and civilian populated areas.” The strikes continued until October 31, 2011 when, “all attacks on civilians and civilian populated areas ended, the Qaddafi regime withdrew all military and para-military forces to bases, and the regime permitted immediate, full, safe, and unhindered access to humanitarian aid for the Libyan people.”¹²² Though NATO did not establish safe havens, they succeeded in destroying the threat to the civilians, and in doing so, claimed to have accomplished the mandate of UN Security Council Resolution 1973, which sought to protect civilians.

In the wake of the intervention, many leaders and writers hailed the outcome as a success. Canada’s Prime Minister called the operation a, “great military success.”¹²³ “You have saved countless lives,” hailed Deputy Prime Minister Nick Clegg of the UK.¹²⁴ President Obama affirmed that the operation, “helped prevent a massacre, saved countless lives, [and gave] the

¹²¹ NATO, “Operation Unified Protector Final Mission Stats,” Public Diplomacy Division, November 2, 2011, accessed March 29, 2016, http://www.nato.int/nato_static/assets/pdf/pdf_2011_11/20111108_111107-factsheet_up_factsfigures_en.pdf.

¹²² NATO, “NATO and Libya,” NATO, November 9, 2015, accessed March 29, 2016, http://www.nato.int/cps/eu/natohq/topics_71652.htm.

¹²³ “We are celebrating a great military success: the success of Canada's participation in Operation Unified Protector and Operation Mobile, respectively the NATO mission to Libya and Canada's contribution to it,” Prime Minister Stephen Harper of Canada. The Canadian Press, “Harper Hails Libya Mission as 'great Military Success',” *Globe and Mail*, November 24, 2011, accessed March 24, 2016, <http://www.theglobeandmail.com/news/politics/harper-hails-libya-mission-as-great-military-success/article4106634/>.

¹²⁴ “You have been protecting the Libyan people from the brutality of Colonel Gaddafi and his regime. Your skill, your commitment and your bravery made the difference. You have saved countless lives and have performed magnificently in testing times.” Chris Bishop, “Deputy Pm Praises RAF’s ‘magnificent’ Contribution to Libyan Campaign During Visit to Waddington in Lincolnshire,” *Eastern Daily Press*, November 3, 2011, accessed March 24, 2016, http://www.edp24.co.uk/news/deputy_pm_praises_raf_s_magnificent_contribution_to_libyan_campaign_during_visit_to_waddington_in_lincolnshire_1_1116760.

Libyan people a chance to prevail.”¹²⁵ The operation had effectively removed Qaddafi from power and provided the Libyan population with freedom. Prime Minister Cameron of the UK echoed this statement when he visited Libya in September 2011. He told the Libyan people that it was, “great to be here in free Benghazi and in free Libya.”¹²⁶

However, the effects of the military intervention illustrated a different narrative. What remained of Libya was a fractured state with multiple armed entities, who, despite once unified to overthrow Qaddafi, now had minimal aligning interests.¹²⁷ What remained in the territory of the state of Libya was a divided people, and a government that held minimal authority, and an unnumbered amount of armed militias.¹²⁸ The failure by the TNC to disarm the militias resulted in militia rule in many areas of the state.¹²⁹ The inability of the TNC and the General National

¹²⁵ Barack Obama, “President Obama touts foreign policy successes in Iraq and Libya,” (speech, October 22, 2011).

¹²⁶ David Cameron, “Cameron, Sarkozy, hailed in Libya, offer help,” (speech, September 15, 2011).

¹²⁷ Jeffrey Martini, *Libya after Qaddafi: Lessons and Implications for the Future* (Santa Monica, CA: RAND, 2014), 30-3.

¹²⁸ Karim Mezran and Fadel Lamen, “Security Challenges to Libya’s Quest for Democracy,” Atlantic Council Issue Brief, September 2012; International Crisis Group, “Holding Libya Together: Security Challenges after Qadhafi,” Crisis Group Middle East/ North Africa Report No. 115, December 14, 2011; Brian McQuinn, *After the Fall: Libya’s Evolving Armed Groups* (Geneva, Switzerland: Small Arms Survey, October 2012).

¹²⁹ Rafaâ Tabib, *Stealing the Revolution: Violence and Predation in Libya* (Oslo: The Norwegian Peacebuilding Resource Centre, 2014), 1-10, accessed March 24, 2016, http://www.clingendael.nl/sites/default/files/Tabib_Clingendael_NOREF_Stealing%20the%20revolution_Violence%20and%20predation%20in%20Libya_October%202014.pdf; Christopher M. Blanchard, “Libya: Transition and US Policy,” Congressional Research Service, October 18, 2012, 8.

Congress, elected in July 2012, to take full control of the militias led to predation in Libya.¹³⁰

Though Qaddafi was gone, the threat to the population remained. The state saw an escalation in violence between November 2011 and October 2013 (Figure 2).¹³¹ The use of R2P in a preemptive offensive nature to strike at the perpetrator instead of protecting civilians ultimately resulted in the toppling of the Qaddafi regime.

¹³⁰ “Power struggles over distribution of state resources are unlikely to end with the establishment of a new administrative system. Cities and tribes will continue to compete over the allocation of government expenditure.” “In Benghazi, this struggle for control of the new security sector has fueled violent tensions. Although the series of bombings and killings in Benghazi and Darna since early 2012 is partly about revenge... some of these acts are clearly attributable to the power struggle between old and new units.” Wolfram Lacher, *Fault Lines of the Revolution: Political Actors, Camps and Conflicts in the New Libya* (Berlin: Stiftung Wissenschaft und Politik German Institute for International and Security Affairs, 2013), 26-28, accessed March 24, 2016, http://www.swp-berlin.org/en/publications/swp-research-papers/swp-research-paper-detail/article/libyen_bruchlinien_der_revolution.html; ICR2P. “Libya Post-Gaddafi.” *International Coalition for the Responsibility to Protect*. United Nations, 22 Mar. 2016. Web. 24 Mar. 2016. <http://www.responsibilitytoprotect.org/index.php/crises/190-crisis-in-libya/5646-crisis-in-libya-post-gaddafi>.

¹³¹ “The authorities’ failure to demobilize the armed groups contributed to an escalation of violence in the Nafusa Mountains, in northwestern Libya, in the southern towns of Kufra and Sebah, and in the towns of Sirte and Bani Walid.” “Sporadic clashes between armed militias resulted in deaths and injuries to bystanders and residents as well as fighters. Such confrontations were widespread, occurring at Kufra in February, April and June, at Sabha in March, in the Nafousa/Western Mountain area in June, at Barak al-Shat in September, and in Bani Walid in October. Militia fighters fired weapons such as Grad rockets, mortars and anti-aircraft machine guns in residential areas, causing casualties and damaging or destroying property. In June, armed militias were reported to have used white phosphorus in Sgeiga despite the threat this posed to residents.” Amnesty International, *Annual Report: Libya 2013* (New York, NY: Amnesty International USA, 2013), accessed March 24, 2016, <http://www.amnestyusa.org/research/reports/annual-report-libya-2013>.

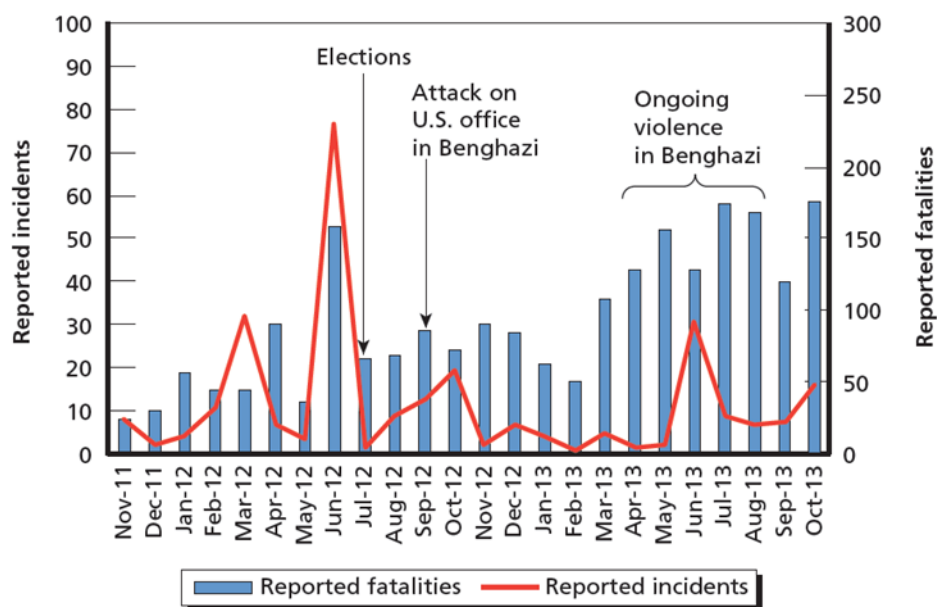


Figure 3. Conflict Incidents and Fatalities in Libya, November 2011 to October 2013.

Source: Jeffrey Martini, *Libya after Qaddafi: Lessons and Implications for the Future* (Santa Monica, CA: RAND, 2014), 21; Armed Conflict Location Event Database.

However, almost a year after the completion of Operation Unified Protector, the US State Department issued a travel warning for Libya. It was not the travel warning that was interesting, but rather the acknowledgment by an intervening party that the effects of the intervention may not have created a more secure Libya. The warning stated that an outbreak of violence could “erupt at any time or any place,” and militias and armed groups were “neither sanctioned nor controlled by the Libyan government.”¹³² Human Rights Watch, another advocate for intervention, also noted that human rights abuses were still prevalent in the state; however, instead of the former regime

¹³² Christopher M. Blanchard, *Libya: Transition and US Policy*, Washington, DC: US Library of Congress, Congressional Research Service, October 18, 2012, 2.

committing the violence, it was the ungoverned militias, the rebels once added by NATO and the international community, who were now the perpetrators.¹³³

More recently, President Obama spoke out about the intervention, identifying some of the same points of this case study. “We averted large-scale civilian casualties; we prevented what almost surely would have been a prolonged and bloody civil conflict. And despite all that, Libya is a mess.”¹³⁴ When asked about the worst mistake of his presidency, President Obama responded bluntly by stating, “Failing to plan for the day after...what I think was the right thing to do, intervening in Libya.”¹³⁵ This retrospective analysis by the US President, who so adamantly advocated for an intervention in Libya, brings to light the consequences and negative effects of the coalition’s actions.

¹³³ Human Rights Watch, *World Report 2013: Libya* (New York, NY: Human Rights Watch, 2013), accessed March 24, 2016, <https://www.hrw.org/world-report/2013/country-chapters/libya>.

¹³⁴ Jeffrey Goldberg, “The Obama Doctrine,” *The Atlantic*, April 2016, 1, accessed April 11, 2016, <http://www.theatlantic.com/magazine/archive/2016/04/the-obama-doctrine/471525/#8>.

¹³⁵ Barak Obama, interviewed by Chris Wallace, April 10, 2016, accessed April 11, 2016, <http://www.cnn.com/videos/politics/2016/04/10/president-obama-worst-mistake-presidency-libya-moody-sot-nr.cnn>.

Findings

The concept of prevention or deterrence is not new. However, the idea of utilizing military force in an offensive nature to attack and destroy a perpetrator is, and it is the first internal contradiction found in the principle of R2P. It was not a method used for justification of humanitarian intervention as seen in Operation Provide Comfort, though it was in Operation Unified Protector. This brings to light the first difference explored through the two case studies, the driving force, aim, or goal of the operation.

In the case of Operation Provide Comfort, the coalition made it clear that their mission was to protect and prevent harm from coming to the Kurdish population in northern Iraq. While many national and international leaders stated a similar goal for the military intervention into Libya, they also made it clear that Qaddafi, the perpetrator, and driving force behind the government sanctioned violence, had to go. This difference manifested itself in the operation's methods. The motives behind Libya's military intervention were contradictory to the purpose of R2P, which is to, "[protect] people at risk," not offensive attacks against a belligerent that threatens violence.¹³⁶

In both Operation Provide Comfort and Operation Unified Protector, the media originally broke the story of the actual or potential crisis. Although the narrative originated in the media, separate entities identified the crisis for what it was or claimed to be. In the case of Operation Provide Comfort, Turkey, a neighboring state to Iraq, identified the outpouring of refugees as a threat to peace and security in the region. This phrase, combined with the number of refugees and the austere environment in which they were living, quickly elevated this event to a crisis, one that required international intervention because of its impacts on multiple nations.

¹³⁶ ICISS, ed., *The Responsibility to Protect*, VII, 63. An idea further explained through the description of the use of military force, "the operation is not a war to defeat a state but an operation to protect populations in that state from being harassed, persecuted or killed."

The identification of the crisis in Libya was significantly different. Although the media brought the violence to light, it was not until Ibrahim Dabbashi, Libya's deputy permanent representative to the UN, spoke out about the perceived violence that world leaders began to consider the possibility of the situation becoming a crisis, a genocide, one that they could prevent. Qaddafi's use of dangerous speech in his address to Libya quickly reinforced their fears. There were phrases familiar to those heard just before the Rwandan genocide that the political leaders could not ignore.

In both cases, the political discourse was very direct and open. Before Operation Provide Comfort began, multiple leaders identified the issue as an internal matter that should remain within the boundaries of Iraq. It was not until the political discourse internal to the United States began to intensify that President Bush considered action. However, President Bush made it very clear that his focus was not Saddam, but rather the Kurds and addressing their distress. In the case of Operation Unified Protector, the political discourse demanded international action. There was no question what the aim of multiple states was. They stated numerous times that Qaddafi had to go. This repetitive narrative drove the international community to action, highlighting the second contradiction internal to the principle of R2P, the inconsistency in threshold.

The ill-defined nature of the scale of a violent episode allowed states and the international community, specifically the UN Security Council to invoke R2P when they saw fit, not when the episode of violence reached a level that required international intervention. This internal contradiction is what allowed states and international leaders to manipulate a morally founded principle, letting them use it to serve their purpose, rather than what it was intended for; a selfless act to protect the unprotected.

Though the UN authorizations in both cases were different, the focus was the same: the civilians. Resolution 688 (Operation Provide Comfort) requested all member states, "to contribute to [the] humanitarian relief efforts," while Resolution 1973 (Operation Unified Protector)

authorized the use of “all necessary measures... to protect civilians.”¹³⁷ Neither resolution authorized the use of ground forces in the sovereign territory in question, and Resolution 1973 (Libya) specifically excluded it from use. While these restrictions did limit the options states had to enforce the resolutions, they were not the driving factor behind increased or decreased violence. In Operation Provide Comfort, the coalition took liberty with the resolution and used ground forces to create secure zones for the Kurdish refugees to return to the internal borders of Iraq. Though the methods of action did not completely align with the resolution the goal of both the nation-states and the UN was the same, assist the civilians.

The military intervention in Libya differed because it did adhere to the UN resolution, but authorized offensive actions against the perpetrator rather than focusing on protecting the civilians, an action that highlights the first contradiction internal to the principle of R2P. The idea was that the coalition could protect the civilians and accomplish the UN mandate if they stopped the perpetrator. However, the perpetrator was the governing regime, and the aim of the individual nation-states significantly differed from that of the UN. Explicitly stated before and after the adoption of Resolution 1973, the goal of many nation-states was to remove Qaddafi, and although it was justified on the premise of preventing a massacre, it was a subjective goal that enabled nation-states to conduct regime change in Libya, acting under the authority of R2P.

While both operations included the establishment and enforcement of a no-fly zone, the actions taken in both cases were almost in direct contrast to each other. Operation Provide Comfort was a humanitarian mission that expanded into a defensive posture aimed at protecting the Kurds and creating safe havens for them to return to the borders of northern Iraq. The response to Libya, although restricted from utilizing an “occupation force,” was predominantly

¹³⁷ UNSCR 688, 32; UNSCR 1973, 3.

offensive in nature and focused on stopping the perpetrator rather than protecting the civilian population.¹³⁸ The differences in these methods drastically influenced the outcome of the operations.

As a result of the defensive nature of the methods used in Operation Provide Comfort, which focused on the protection of the population, the coalition reestablished stability in the region, protected the Kurdish population and enabled their return home, and ended atrocities targeting the Kurds. These results achieved the current desired outcomes of R2P, uninhibited by the contradictions internal to the policy. In contrast, Operation Unified Protector was offensive in nature and focused on defeating the perpetrator. The coalition targeted and destroyed Qaddafi's forces, demonstrating how the contradictions internal to R2P create opportunities for political leaders to subjectively manipulate morally founded military operations. While they enforced a no-fly zone and did not employ an occupation force, they did not establish safe havens, and did not stop atrocities from occurring. In fact, the operation enabled a violent regime change, led to an increase of violence in the state, and did not stop war crimes or crimes against humanity, in direct contradiction to the purpose of R2P. The results of Operation Unified Protector did not achieve the desired outcome of R2P. However, it did achieve the stated outcome of all political leaders: Qaddafi was gone. Table 1 shows a side-by-side comparison of both operations, highlighting the inquiries of this study.

¹³⁸ UNSCR 1973, 3.

Table 1. Differences Identified between the two Case Studies

	Operation Provide Comfort	Operation Unified Protector
Identification of the Crisis	<ul style="list-style-type: none"> • Media • Neighboring States 	<ul style="list-style-type: none"> • Media • Libya's deputy envoy to the UN
Threshold for Intervention	<ul style="list-style-type: none"> • 220,000 Kurdish refugees on the southern border of Turkey 	<ul style="list-style-type: none"> • Casualties of Qaddafi violence <ul style="list-style-type: none"> - 233 actually reported - Thousand perceived
Nation-States Political Goals	<ul style="list-style-type: none"> • Protect the Kurds • Provide for the Kurd's needs 	<ul style="list-style-type: none"> • Remove Qaddafi • No ground forces (Libya's National Transitional Council)
UN Goals	<ul style="list-style-type: none"> • Humanitarian Relief (SC Res. 688) 	<ul style="list-style-type: none"> • Protection of Civilians (SC Res. 1973)
Actions Taken	<ul style="list-style-type: none"> • Humanitarian Airdrops • Establishment and enforcement of no-fly zone • Creation of secure zones (safe havens) • Defensive in nature 	<ul style="list-style-type: none"> • Arms embargo • No-fly zone established • Precision Strike: <ul style="list-style-type: none"> - Destroyed over 5,900 military Targets • Offensive in nature
Aftermath	<ul style="list-style-type: none"> • Saddam remained in Power • Refugee population protected and returned to borders of Iraq • Violence stopped • Humanitarian needs of the Refugees met 	<ul style="list-style-type: none"> • Qaddafi removed • National Transitional Council recognized as new government • Increase in violence after intervention • Human rights violations are still occurring

Source: Created by author.

This manipulation of a morally founded idea could have been prevented, if the second contradiction internal to the principle of R2P did not exist. The inconsistency in threshold of crisis is what ultimately allowed for the preemptive intervention in Libya. Unlike Operation Provide Comfort, which was in response to an actual threat to peace and security in the region, the threat in Libya was perceived.¹³⁹ The goal was prevention; however what was in question was

¹³⁹ Operation Provide Comfort was in response to the outpouring of over 200,000 refugees (as reported by Turkey) living in uninhabitable terrain on the southern border of Turkey, while the military intervention in Libya was conducted based on a perceived threat. Although there were reports of significant violence by the media, the actual total number of casualties due to civil unrest was 233, as reported originally by HRW. The use of dangerous language or hate speech by Qaddafi is also a likely justification for the international community perceiving a threat.

whether the crisis actually met the threshold for intervention. Whether the violence in Libya, “[shocked] the conscience of mankind,” or did it seem as if it had the potential to do so?¹⁴⁰

Although Qaddafi is gone, Libya remains in the midst of its civil war. No sovereign entity governs the state; and in 2014 Human Rights Watch again called attention to acts of violence in Libya that could amount to crimes against humanity.¹⁴¹ The violence in Libya has not stopped, and actually increased after the intervention. Though humanitarian intervention did not prevent the genocide in Rwanda, it also did not create more harm than good. It, unlike R2P, did not allow a morally founded military operations to be subjectively manipulated into conducting regime change under the guise of protection.

Based on the data collected from these case studies, the evidence indicates that contradictions internal to the United Nations policy of Responsibility to Protect creates opportunities for political leaders to subjectively manipulate morally founded military operations, creating more rather than less violence. However, when not manipulated and used in a responsive nature the operations can meet the intended goal of R2P: protection of civilians.

¹⁴⁰ ICISS, *The Responsibility to Protect*, 31.

¹⁴¹ Human Rights Watch, “Libya: Assassinations May Be Crimes Against Humanity,” September 23, 2014, accessed March 31, 2016, <https://www.middleeastmonitor.com/5/0013501/hrw-250-assassinations-in-libya-among-to-crimes-against-humanity>.

Conclusion

While R2P is a sound, morally founded, and completely logical concept, it contains significant shortcomings. These shortcomings manifest themselves when the international community invokes R2P in a preventative nature. The principle somehow becomes distorted, and transforms into a subjectively malleable concept to be used by state and international leaders to impose their will on others.

The current policy of R2P is not a viable solution to preventing violence against civilians. This is because of its preventative nature, as demonstrated in the military intervention in Libya. If a state is on the cusp of a mass atrocity, introducing offensive military force to target and destroy the threat or perpetrator of the violence actually provides positive feedback to an already unstable system. This positive feedback acts as an accelerant and compounds the violence, also increasing the unknown variables. While the original perpetrator of the violence may diminish, the means for violence remains, exploitable for use in future confrontations and violent episodes.

This offensive nature of R2P also creates significant implications for the United States, and the military in particular. The first is the assessed risk associated with acting offensively. If the perpetrator is linked in any way to the sovereign government, a likely outcome, as seen in Libya, is regime removal. This risk significantly increases the likelihood of a long-standing commitment to the state in question and leads to the second implication. Offensive actions causing regime removal can potentially create a requirement for a follow on state building mission. While this was not seen in the Libyan case study, the aftermath of military intervention in Libya demonstrates the need for it in the future.

While this monograph does not solve all the problems associated with invoking R2P, it does contribute to and potentially increases the discourse on how to intervene. It identified that military force, although permitted for use as a preventative measure under the current policy of R2P, can and should be used in a responsive and defensive manner. This would limit the number

of outcomes associated with invoking R2P and would likely reduce the risk of subjective manipulation of morally founded military operations.

Appendix A

Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.

Figure 3. The Three Paragraphs that make the UN Policy of Responsibility to Protect

Source: United Nations General Assembly, *Resolution 60/1. 2005 World Summit Outcome*. Official Records, 60th sess., A/RES/60/1, (New York: UN, 2005), 30.

Appendix B

Table 2. List of all States Party to the Genocide Convention of 1948

CHAPTER IV HUMAN RIGHTS

1. CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE

Paris, 9 December 1948¹

ENTRY INTO FORCE: 12 January 1951, in accordance with article XIII.
REGISTRATION: 12 January 1951, No. 1021.
STATUS: Signatories: 41. Parties: 147.
TEXT: United Nations, *Treaty Series*, vol. 78, p. 277.

<i>Participant²</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>	<i>Participant²</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>
Afghanistan.....		22 Mar 1956 a	Costa Rica.....		14 Oct 1950 a
Albania.....		12 May 1955 a	Côte d'Ivoire.....		18 Dec 1995 a
Algeria.....		31 Oct 1963 a	Croatia ²		12 Oct 1992 d
Andorra.....		22 Sep 2006 a	Cuba ⁷	28 Dec 1949	4 Mar 1953
Antigua and Barbuda.....		25 Oct 1988 d	Cyprus ⁸		29 Mar 1982 a
Argentina.....		5 Jun 1956 a	Czech Republic ⁹		22 Feb 1993 d
Armenia.....		23 Jun 1993 a	Democratic People's Republic of Korea....		31 Jan 1989 a
Australia.....	11 Dec 1948	8 Jul 1949	Democratic Republic of the Congo.....		31 May 1962 d
Austria.....		19 Mar 1958 a	Denmark.....	28 Sep 1949	15 Jun 1951
Azerbaijan.....		16 Aug 1996 a	Dominican Republic.....	11 Dec 1948	
Bahamas.....		5 Aug 1975 d	Ecuador.....	11 Dec 1948	21 Dec 1949
Bahrain.....		27 Mar 1990 a	Egypt.....	12 Dec 1948	8 Feb 1952
Bangladesh.....		5 Oct 1998 a	El Salvador.....	27 Apr 1949	28 Sep 1950
Barbados.....		14 Jan 1980 a	Estonia.....		21 Oct 1991 a
Belarus.....	16 Dec 1949	11 Aug 1954	Ethiopia.....	11 Dec 1948	1 Jul 1949
Belgium.....	12 Dec 1949	5 Sep 1951	Fiji.....		11 Jan 1973 d
Belize.....		10 Mar 1998 a	Finland.....		18 Dec 1959 a
Bolivia (Plurinational State of).....	11 Dec 1948	14 Jun 2005	France.....	11 Dec 1948	14 Oct 1950
Bosnia and Herzegovina ^{2,3}		29 Dec 1992 d	Gabon.....		21 Jan 1983 a
Brazil.....	11 Dec 1948	15 Apr 1952	Gambia.....		29 Dec 1978 a
Bulgaria.....		21 Jul 1950 a	Georgia.....		11 Oct 1993 a
Burkina Faso.....		14 Sep 1965 a	Germany ^{10,11}		24 Nov 1954 a
Burundi.....		6 Jan 1997 a	Ghana.....		24 Dec 1958 a
Cabo Verde.....		10 Oct 2011 a	Greece.....	29 Dec 1949	8 Dec 1954
Cambodia.....		14 Oct 1950 a	Guatemala.....	22 Jun 1949	13 Jan 1950
Canada.....	28 Nov 1949	3 Sep 1952	Guinea.....		7 Sep 2000 a
Chile.....	11 Dec 1948	3 Jun 1953	Guinea-Bissau.....		24 Sep 2013 a
China ^{4,5,6}	20 Jul 1949	18 Apr 1983	Haiti.....	11 Dec 1948	14 Oct 1950
Colombia.....	12 Aug 1949	27 Oct 1959	Honduras.....	22 Apr 1949	5 Mar 1952
Comoros.....		27 Sep 2004 a	Hungary.....		7 Jan 1952 a

<i>Participant²</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>	<i>Participant²</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>
Iceland	14 May 1949	29 Aug 1949	Paraguay	11 Dec 1948	3 Oct 2001
India	29 Nov 1949	27 Aug 1959	Peru	11 Dec 1948	24 Feb 1960
Iran (Islamic Republic of)	8 Dec 1949	14 Aug 1956	Philippines	11 Dec 1948	7 Jul 1950
Iraq		20 Jan 1959 a	Poland		14 Nov 1950 a
Ireland		22 Jun 1976 a	Portugal ⁶		9 Feb 1999 a
Israel	17 Aug 1949	9 Mar 1950	Republic of Korea		14 Oct 1950 a
Italy		4 Jun 1952 a	Republic of Moldova		26 Jan 1993 a
Jamaica		23 Sep 1968 a	Romania		2 Nov 1950 a
Jordan		3 Apr 1950 a	Russian Federation	16 Dec 1949	3 May 1954
Kazakhstan		26 Aug 1998 a	Rwanda		16 Apr 1975 a
Kuwait		7 Mar 1995 a	San Marino		8 Nov 2013 a
Kyrgyzstan		5 Sep 1997 a	Saudi Arabia		13 Jul 1950 a
Lao People's Democratic Republic		8 Dec 1950 a	Senegal		4 Aug 1983 a
Latvia		14 Apr 1992 a	Serbia ^{3,14}		12 Mar 2001 a
Lebanon	30 Dec 1949	17 Dec 1953	Seychelles		5 May 1992 a
Lesotho		29 Nov 1974 a	Singapore		18 Aug 1995 a
Liberia	11 Dec 1948	9 Jun 1950	Slovakia ⁹		28 May 1993 d
Libya		16 May 1989 a	Slovenia ²		6 Jul 1992 d
Liechtenstein		24 Mar 1994 a	South Africa		10 Dec 1998 a
Lithuania		1 Feb 1996 a	Spain		13 Sep 1968 a
Luxembourg		7 Oct 1981 a	Sri Lanka		12 Oct 1950 a
Malaysia		20 Dec 1994 a	St. Vincent and the Grenadines		9 Nov 1981 a
Maldives		24 Apr 1984 a	State of Palestine		2 Apr 2014 a
Mali		16 Jul 1974 a	Sudan		13 Oct 2003 a
Malta		6 Jun 2014 a	Sweden	30 Dec 1949	27 May 1952
Mexico	14 Dec 1948	22 Jul 1952	Switzerland		7 Sep 2000 a
Monaco		30 Mar 1950 a	Syrian Arab Republic		25 Jun 1955 a
Mongolia		5 Jan 1967 a	Tajikistan		3 Nov 2015 a
Montenegro ¹²		23 Oct 2006 d	The former Yugoslav Republic of Macedonia ²		18 Jan 1994 d
Morocco		24 Jan 1958 a	Togo		24 May 1984 a
Mozambique		18 Apr 1983 a	Tonga		16 Feb 1972 a
Myanmar	30 Dec 1949	14 Mar 1956	Trinidad and Tobago		13 Dec 2002 a
Namibia		28 Nov 1994 a	Tunisia		29 Nov 1956 a
Nepal		17 Jan 1969 a	Turkey		31 Jul 1950 a
Netherlands		20 Jun 1966 a	Uganda		14 Nov 1995 a
New Zealand ¹³	25 Nov 1949	28 Dec 1978	Ukraine	16 Dec 1949	15 Nov 1954
Nicaragua		29 Jan 1952 a	United Arab Emirates		11 Nov 2005 a
Nigeria		27 Jul 2009 a	United Kingdom of Great Britain and Northern Ireland		30 Jan 1970 a
Norway	11 Dec 1948	22 Jul 1949	United Republic of Tanzania		5 Apr 1984 a
Pakistan	11 Dec 1948	12 Oct 1957			
Panama	11 Dec 1948	11 Jan 1950			
Papua New Guinea		27 Jan 1982 a			

<i>Participant²</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>	<i>Participant²</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>
United States of America.....	11 Dec 1948	25 Nov 1988	Republic of).....		
Uruguay.....	11 Dec 1948	11 Jul 1967	Viet Nam ^{15,16}		9 Jun 1981 a
Uzbekistan.....		9 Sep 1999 a	Yemen.....		9 Feb 1987 a
Venezuela (Bolivarian		12 Jul 1960 a	Zimbabwe.....		13 May 1991 a

Source: Treaty on the Prevention and Punishment of the Crimes of Genocide, States Listed Above, January 12, 1951, UNT 1021.

Appendix C

Table 3. Democide in the 20th Century

TABLE 1.2
20th Century Democide

REGIMES	YEARS	DEMOCID (000)[1]			ANNUAL	
		TOTAL	DOMESTIC	GENOCIDE	RATE % [2]	
MEGAMURDERERS	1900-87	151,491	116,380	33,476		[4]
DEKA-MEGAMURDERERS	1900-87	128,168	100,842	26,690	0.18	[4]
U.S.S.R.	1917-87	61,911	54,769	10,000	0.42	
China (PRC)	1949-87	35,236	35,236	375	0.12	
Germany	1933-45	20,946	762	16,315	0.09	
China (KMT)	1928-49	10,075	10,075	Nil	0.07	[5]
LESSER MEGAMURDERS	1900-87	19,178	12,237	6,184	1.63	[4]
Japan	1936-45	5,964	Nil	Nil	Nil	
China (Mao Soviets) [3]	1923-49	3,466	3,466	Nil	0.05	[5]
Cambodia	1975-79	2,035	2,000	541	8.16	
Turkey	1909-18	1,883	1,752	1,883	0.96	
Vietnam	1945-87	1,670	944	Nil	0.10	
Poland	1945-48	1,585	1,585	1,585	1.99	
Pakistan	1958-87	1,503	1,503	1,500	0.06	
Yugoslavia (Tito)	1944-87	1,072	987	675	0.12	
SUSPECTED MEGAMURDERERS	1900-87	4,145	3,301	602	0.24	[4]
North Korea	1948-87	1,663	1,293	Nil	0.25	
Mexico	1900-20	1,417	1,417	100	0.45	
Russia	1900-17	1,066	591	502	0.02	
CENTI-KILOMURDERERS	1900-87	14,918	10,812	4,071	0.26	[4]
TOP 5	1900-87	4,074	2,192	1,078	0.89	[4]
China (Warlords)	1917-49	910	910	Nil	0.02	
Turkey (Atatürk)	1919-23	878	703	878	2.64	
United Kingdom	1900-87	816	Nil	Nil	Nil	
Portugal (Dictatorship)	1926-82	741	Nil	Nil	Nil	
Indonesia	1965-87	729	579	200	0.02	
LESSER MURDERERS	1900-87	2,792	2,355	1,019	.1	[4]
WORLD TOTAL	1900-87	169,202	129,547	38,566	.1	[6]

1. Includes genocide, politicide, and mass murder; excludes war-dead.

These are most probable mid-estimates in low to high ranges.

Figures may not sum due to round off.

2. The percent of a population killed in democide per year of the regime

3. Guerrilla period. 4. Average.

5. The rate is the average of that for three successive periods.

6. The world annual rate is calculated for the 1944 global population

Source: R J. Rummel, "Macht Und Gesellschaft," vol. 2, *Statistics of Democide: Genocide and Mass Murder Since 1900* (Münster: LIT, 1998), 4.

Table 4. USSR Democide in the 20th Century

TABLE 1.1
OVERVIEW OF SOVIET DEMOCIDE
(MOST PROBABLE ESTIMATES) [1]

PERIOD	FROM	-----DEMOICIDE (000)-----			-----COMPONENTS (000)-----				
		TOTAL [5]	CITIZENS	RATE% [2]	TERROR	DEPORT. CAMPS [3]	FAMINE [4]	WARS [5]	
Civil War	1917	3,284	3,284	0.43	750	?	34	2,500	1,410
NEP	1923	2,200	2,200	0.25	?	?	232	0	?
Collectivization	1929	11,440	11,440	1.04	1,733	1,400	3,306	5,000	0.20
Great Terror	1936	4,345	4,345	0.89	1,000	65	3,280	0	1.20
Pre-WWII	1939	5,104	4,438	1.02	1,932	283	2,889	0	256
World War II	1941	13,053	10,000	1.21	1,257	1,036	10,761	0	19,625
Post-War...	1946	15,613	12,448	0.88	1,376	1,557	12,348	333	90
Post-Stalin	1954	6,872	6,613	0.08	250	8	6,613	0	22
TOTAL [6]	1917	61,911	54,769	0.45	>8,298	>4,349	39,464	7,833	>21,403

NOTES:

1. Mid-estimates of dead: most probable central values in a low-high range.
2. Annualized rates for mid-period populations. The total is the weighted average.
For citizens only.
3. Camp totals include transit deaths.
4. Famine totals are only for those included as democide.
5. Wars and rebellions; includes Nazi caused famine. Shown for comparison only.
6. Numbers may not add up to the total democide for each period due to rounding.

Source: R J. Rummel, "Macht Und Gesellschaft," vol. 2, *Statistics of Democide: Genocide and Mass Murder Since 1900* (Münster: LIT, 1998), 83.

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